

URBAN/MUNICIPAL

CANON HBL A05

M21

1992

Minutes of the Meetings  
of the Council  
of Hamilton

April 28, 1992







1992 April 28

Hamilton City Council  
1992 April 28  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman F. Eisenberger - vacation

Reverend Lorne Mackay, Minister Emeritus, Central Presbyterian Church led Council in prayer.

\* \* \* \* \*

Mayor R. M. Morrow presented a Certificate of Recognition to Reverend Lorne Mackay in recognition of his dedicated service to the City of Hamilton Fire Department as the Honourary Protestant Padre.

\* \* \* \* \*

A Distinguished Budget Presentation Award was made to the City of Hamilton by Malcolm Gregg on behalf of the Government Finance Officers Association of the United States and Canada (GFOA).

\* \* \* \* \*



1992 April 28

Mayor R. M. Morrow proclaimed the following:

"Pitch In Week - 1992 May 4 - 10"

"Salvation Army Red Shield Month - 1992 May"

"Volunteer Week - 1992 April 27 to May 1"

"Royal Canadian Sea Cadet Corps Lion Week - 1992 May 10 - 17"

\* \* \* \* \*

The minutes of the special meeting held 1992 March 27 were adopted as corrected and the 1992 April 14 minutes were adopted as circulated.

\* \* \* \* \*

Correspondence:

1. Letter dated 1992 April 15 from Warren E. Schofield respecting the Licensing Committee's recommendation to deny his Cab Driver's Licence application.

**Received.**

\* \* \* \* \*



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It was moved by Alderman Kiss and seconded by Alderman Jackson that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

### PARKS AND RECREATION COMMITTEE - EIGHTH REPORT

#### Section 1 (b) Re: Hamilton Steelers Soccer Club

It was moved by Alderman Jackson and seconded by Alderman Drury that Sub-section (b) of Section 1 of the Eighth Report of the Parks and Recreation Committee be referred back in order to allow the Hamilton Steelers an opportunity to prepare a financial statement and to meet with City Staff to negotiate an acceptable lease agreement for the 1992 - 1993 season satisfactory to the Hamilton Steelers and the City of Hamilton and that the Parks and Recreation Committee report back to City Council at its meeting scheduled for May 26, 1992.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Wilson, Jackson, Merling. -5.

NAYS: Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Anderson, D'Amico, Ross. -10. **LOST.**

\* \* \* \* \*



**Section 1 (b) Re: Hamilton Steelers Soccer Club**

It was moved by Alderman Jackson and seconded by Alderman Charters that Section 1(b) of the Eighth Report of the Parks and Recreation Committee be amended by adding after the word "credit" in the third line, the words "satisfactory to the City Solicitor".

**CARRIED.**

\* \* \* \* \*

**Section 4 Re: Sell beer - Stoney Creek Women's Slo-Pitch League - Slo-Pitch Tournament**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -15.

**NAYS:** Alderman Jackson -1.

**CARRIED.**

\* \* \* \* \*

<p><b>PLANNING AND DEVELOPMENT COMMITTEE - EIGHTH REPORT</b></p>
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**Section 9 Re: Zoning Application 92-02 - 124 Walnut Street South**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

**NAYS:** Aldermen Copps, Wilson, -2.

**CARRIED.**



\* \* \* \* \*

**Section 11 Re: Zoning Application 91-87 - 1158 Upper Wentworth Street**

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 11 of the Eighth Report of the Planning and Development Committee be amended by adding the following as sub-section (h)

- (h) That access to Block 2 be at the extreme southerly property line to Upper Wentworth. **CARRIED.**

\* \* \* \* \*

**CITY OF HAMILTON LICENSING COMMITTEE - THIRD REPORT**

**FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT**

**Section 12 Re: Canadian Country Music Association - Country Music Week**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Agostino. -2. **CARRIED.**

\* \* \* \* \*



**Section 23 (f) Re: Open Local Government Proposal on Municipal Conflict of Interest**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 23 of the Eleventh Report of the Finance and Administration Committee be amended by adding the following as Sub-section (f):

- (f) That the City Solicitor be directed to prepare a draft City of Hamilton resolution for the consideration of the Finance and Administration Committee on the City's concerns with respect to the Open Local Government Proposal on Municipal Conflict of Interest for submission to the Association of Municipalities of Ontario.
- CARRIED.**

\* \* \* \* \*

**Section 23 (c) Re: Open Local Government Proposal on Municipal Conflict of Interest - Municipal Conflict of Interest Commissioner**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Jackson, Merling, Anderson, Ross. - 12.

NAYS: Aldermen Cooke, Wilson, Agostino, D'Amico -4. **CARRIED.**

\* \* \* \* \*

**Section 23 (d) Re: Open Local Government Proposal on Municipal Conflict of Interest - "bona fide error of judgement" defence not be deleted**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Jackson, Merling, Anderson, Ross. -12.

NAYS: Aldermen Cooke, Wilson, Agostino, D'Amico -4. **CARRIED.**

\* \* \* \* \*



**Section 24 (m) Bill H-35: A By-law to Levy an Annual Tax on Telephone Companies doing business in Ontario respecting: The Bell Telephone Company of Canada.**

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on Bill H-35. Alderman Wilson and Mrs. Wilson are shareholders of Bell Canada.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that Alderman D. Agostino be appointed Acting Mayor for the Month of May, 1992.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that the Reports of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee and the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Jackson that the following Bills be now read a first time:

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

\* \* \* \* \*



**Consideration of the Bills (second reading).**

Recorded vote on Bill C-51 : A By-law to adopt Official Plan Amendment No. 109 respecting text changes to subsection C.7 - Residential Environment and Housing Policy and subsection D.9 - Notification and Public Participation Procedure of the Hamilton Official Plan.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson. -2.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Jackson that the Report of the Committee of the Whole on the following Bills, be adopted. -

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



1992 April 28

It was moved by Alderman Kiss and seconded by Alderman Jackson that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

B-2.

C-49, C-50, C-51, C-52, C-53.

H-23, H-24, H-25, H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 9:09 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

John Thompson, Acting City Clerk  
1992 April 28



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1992 and respectfully recommends:

1. (a) That City Council accept a payment schedule to provide for the payment of arrears by the Hamilton Steelers Soccer Club, in equal monthly instalments commencing 1992 May 1 and continuing during the next two year option period of the lease agreement until fully paid as outlined in Appendix "A" attached hereto.
  - (b) That rental payment for the 1992 - 1993 season of \$1,150.00 per game be made within one (1) week prior to each game and practice dates, or that the Club provide a letter of credit satisfactory to the City Solicitor in favour of the City of Hamilton in an amount sufficient to guarantee payment of the two years lease agreement rental which commences 1992 March 15.
- AMENDED AND CARRIED.**
- (c) That permission be granted to the Hamilton Steelers Soccer Club to exercise their option to renew the existing lease agreement for an additional two year period as stipulated in Part 1, Section 3 (b) of the Lease Agreement.
  - (d) That an appraisal of the electronic score board at Brian Timmis Stadium be undertaken and that a tax receipt in the appraised amount be issued to the Hamilton Steelers Soccer Club for the donation of the score board subject to a Transfer Agreement being entered into between the Hamilton Steelers Soccer Club and the City of Hamilton satisfactory to the City Solicitor.
  - (e) That a personal letter of credit, equal to the amount owed the City, be provided by the Hamilton Steelers Soccer Club to the City of Hamilton.



- (f) That the Parks and Recreation Committee request the Finance and Administration Committee to review the issue of the Hamilton Steelers Soccer Club - Rental Arrears for the use of Brian Timmis Stadium.
2.
  - (a) That a designate of the Hamilton Historical Board be authorized to attend the Legal Affairs Symposium organized by the Canadian Museum Association to be held in Ottawa, 1992 May 7 to May 9.
  - (b) That the expenses to attend the symposium be charged to Legislative Travel Account No. CH55201 10010.
3.
  - (a) That approval be given to waive rental fees for the use of Parkdale Arena on Sunday, 1992 June 7 for the "After Four Committee" to hold a card show to raise funds for their Committee.
  - (b) That all tables, chairs and concession stands required for this event be the responsibility of the "After Four Committee".
  - (c) That clean up or any associated labour charges associated with this event be the responsibility of the "After Four Committee".
4. That approval be given to Stoney Creek Women's Slo-Pitch League to sell beer on the occasion of their Slo-Pitch Tournament to be held at Globe Park on Saturday, 1992 July 11, subject to the following terms and conditions:
  - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson -1.

**CARRIED.**



5. That Public Works Department staff be authorized to advise adjacent area residents of the "Grass Maintenance Naturalization programme" through signage and information notices.
6. That Public Works Department staff be authorized to advise all Citizen Park Planning Groups of the proposed funding level in the 1993 portion of the 1992 - 2001 Capital Budget for the Park Development and Redevelopment programme.
7. That an amount not to exceed \$2,000.00 be used from the Children's Museum Trust Fund to purchase a display case and that this expenditure be financed from Trust Fund Account No. CH5X999 00403 (Children's Museum).
8. That the ownership of an ice boat model from the Dundurn Castle collection be transferred to the Marine Museum of the Toronto Historical Board.
9. That leave be granted to introduce the following Bill:

**Bill B-2**      By-law to Establish An Elderly Persons Centre at  
the Sackville Hill Seniors' Recreation Centre

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson**  
Secretary

**1992 April 21**



Appendix "A" as referred to in  
Section 1 of the EIGHTH Report  
of the Parks and Recreation  
Committee for 1992

- (1) The outstanding miscellaneous charges for stadium clean up, etc. in the amount of \$8,147.18 be paid in full by April 30, 1992.
- (2) The outstanding rental for use of stadia facilities for 1990 in the amount of \$16,800.00, and the outstanding rental for 1991 in the amount of \$25,746.00, for a total of \$42,546.00, be paid in instalments of \$2,000.00 per month, commencing May 1, 1992 and continuing during the next two year option period to lease the stadia, until fully paid.
- (3) The Club submit financial statements, in accordance with the lease agreement, for 1990 and 1991, which provides for the Club to pay to the City 3% of the net profit from the sale of food and non-alcoholic beverages, and 10% of the gross sales of programs, souvenirs and novelty items and that the Club remit the outstanding payment for these items in equal monthly instalments commencing May 1, 1992 and continuing during the next two year option period to lease the Stadia until fully paid.



## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1992 and respectfully recommends:

1. That approval be given to Zoning Application 91-78, Artaban Non-Profit Homes Inc., prospective owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District modified for Block "1", and a modification to the "H" (Community Shopping and Commercial, etc.) District for Block "2", to permit the development of the subject lands for a four (4) storey, 29 unit apartment building and parish hall, for the property located at 322-330 Charlton Avenue West, shown as Block "1" and Block "2" on the attached map marked as Appendix "A", on the following basis:
  - (a) That Block "1" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District;
  - (b) That the "E-2" (Multiple Dwellings) District regulations as contained in Section 11B of Zoning By-Law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 11B(2)(ii) of Zoning By-Law No. 6593, no building or structure shall exceed four (4) storeys or 14.0 m in height;
    - (ii) That notwithstanding Section 11B(5) of Zoning By-Law No. 6593, no building or structure shall exceed a maximum gross floor area of 2206.0 m<sup>2</sup> and twenty-nine (29) dwelling units;
    - (iii) That Section 11B(3)(i)(b) of Zoning By-Law No. 6593 shall not apply within 46.0 m of the easterly lot line of Block "2", however a minimum front yard depth of 4.3 m shall be provided and maintained for the remaining lot frontage;



- (iv) That Section 11B(3)(ii)(b) of Zoning By-law No. 6593, shall not apply to the easterly lot line;
- (v) That notwithstanding Section 11B(6) of Zoning By-law No. 6593, a minimum landscaped area of 406.0 m<sup>2</sup> shall be provided and maintained on the lot;
- (vi) That notwithstanding Section 18A(1)(a) of Zoning By-Law No. 6593, not less than twelve (12) parking spaces shall be provided and maintained on the lot;
- (vii) That Section 18A(1)(c) of Zoning By-law No. 6593, shall not apply;
- (viii) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a 1.0 m portion of the required 6.0 m parking space length may be raised;
- (ix) That Section 18A(11)(a) of Zoning By-law No. 6593, shall not apply to the westerly lot line;
- (x) That Section 18A(25) of Zoning By-law No. 6593, shall not apply;
- (c) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
  - (i) That Section 14(3) of Zoning By-law No. 6593, shall not apply to the existing church only;
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1269, and that the subject lands on Zoning District Map W13 be notated S-1269;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W13 for presentation to City Council;
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;



- (g) That the approved Kirkendall North Neighbourhood Plan be amended by redesignating Block "1" from "Single and Double Residential" to "Medium Density Apartments".
  - 2. That the Chairman of the Committee of Adjustment, or his nominee, be authorized to attend the 1992 Annual Conference of the Ontario Association of Committees of Adjustment and consent Authorities to be held for three days, 1992 May 31 - June 3 in Windsor, Ontario, at an expense not exceeding \$900 to be charged to Account No. CH55201-10010, Legislative Travelling.
  - 3. That the Building Commissioner be authorized to issue a demolition permit for the following properties:
    - (a) 168 Emerson Avenue.
    - (b) 473 Upper Sherman Avenue
  - 4. That a Commercial Facade Loan in the amount of nine thousand, three hundred and seventy dollars (\$9,370.) be approved for Steve Culibrk, 224 Ottawa Street North, Hamilton at an interest rate of 4 1/8 percent amortized over 10 years.
  - 5. The Building Commissioner be authorized to process the following grant/loan(s) for:
    - (a) David and Janet Robertson  
1077 Central Avenue
    - (b) Robert and Dorothy Franks  
251 Hunter Street West
- in the amounts not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme.
- 6. (a) That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one hundred and sixty (\$160.) be approved for Doreen Ondrisk, 122 Wexford Avenue North, Hamilton at an interest rate of 8 percent amortized over 1 year; and,



- (b) That because of the small amount involved, the normal policy of Registering a Lien on Title is not recommended and the sole security will be the Promissory Note.
7. That approval be given to City Initiative 85-F to amend Zoning By-law No. 6593, as amended by By-law No. 86-223, by providing for a revised definition of "Outdoor Patio" on the following basis:
- (a) That subsection 2.(2)D. of Zoning By-law No. 6593, as amended by By-law No. 86-223, be further amended by deleting clause (viiia) and substituting in lieu thereof the following:
    - (i) "Outdoor Patio" shall mean an outdoor area used in conjunction with any establishment licensed under The Liquor Licence Act, where seating accommodation is provided and meals or refreshments are served to the public for consumption on the premises.
  - (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 for presentation to City Council.
  - (c) That the proposed by-law is in conformity with the Official Plan for the Hamilton Planning Area.
8. A. That approval be given to Zoning Application 90-61, 662016 Ontario Limited, (Bayfield Green Development Company), owner, requesting a change in zoning from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District (Block "1"), and from "C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District (Block "2"), to permit development of the subject lands for a retail plaza in conjunction with adjoining lands located to the north, for the property located at 1471 Upper James Street, shown as Blocks "1" and "2" on the attached map marked as Appendix "B", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District;
  - (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District;



- (c) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations, as contained in Section 13 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special provisions:
    - (i) That notwithstanding Section 13.(3)(i), a front yard of a depth of not less than 6.0 m shall be provided and maintained along the entire westerly boundary of Block "2";
    - (ii) That Section 13.(3)(ii) shall not apply;
    - (iii) That a minimum 6.0 m wide landscape strip shall be provided and maintained along the entire westerly boundary of Block "2".
  - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1270, and the subject lands on Zoning District Map E-9D be notated S-1270;
  - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council;
  - (f) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the amending By-law not be forwarded for passage by City Council until such time as:
- (a) the applicant assembles and appropriately rezones the adjoining lands to the south, up to the proposed mid-block collector road;
  - (b) the applicant applies for and receives approval of a site plan including adjoining lands to the north, and south up to the proposed mid-block collector road, and incorporates the applicable "Urban Design Guidelines for Upper James Street"; and,



- (c) the City Solicitor has been notified by the applicant (Bayfield Green Development Company) that a satisfactory mutual right-of-way agreement(s) have been entered into with the property owners to the north (R. Yates and T. Yates) to provide permanent access to Upper James Street and the proposed mid-block collector road.

9. A. That approval be given to amended Zoning Application 92-02, J.V. Gates (in trust), owner, requesting a further modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, to permit the conversion of the existing building, including a new one storey addition on top of the existing building, to permit a residential care facility for the accommodation of 70 qualified senior citizens, for property located at 124 Walnut Street South, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593 as amended by By-law No. 86-179, applicable to the subject lands, be further amended to include the following variances as special requirements:

- (i) That notwithstanding Section 11(1) of Zoning By-law No. 6593, the following uses shall be permitted within the existing building at the date of the passing of the By-law, and within a new one storey addition on top of the building:

- (1) a residential care facility for the accommodation of not more than 70 residents being qualified Senior Citizens; and,

- (2) a beauty parlour/barber shop as an accessory use.

- (ii) That an amenity area of not less than 167 m<sup>2</sup> shall be provided and maintained within the building;

- (iii) That Section 11(7) of Zoning By-law No. 6593, shall not apply;



- (iv) That Section 18(3)(vi)(b)(iii) of Zoning By-law No. 6593 shall not apply to the canopy for the ramp for the physically handicapped located within the westerly side yard;
- (v) That the yard setback requirements as contained in Section 2(b) of By-law No. 86-179 shall be extended to apply to the new one storey addition on top of the existing building;
- (vi) That Section 2 (c) of By-law No. 86-179 be amended by changing the number "20%" in the third line to "14.7%", so that the revised clause (c) reads as follows:

"notwithstanding subsection 11(6) of By-law No. 6593, not less than 14.7% of the area of the lot on which the building is situate shall be landscaped;"

- (vii) The provisions of Section 2(b), (c) as amended, (d), (e), and (f) of By-law No. 86-179 shall apply to the subject lands.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-950a, and that the subject lands on Zoning District Map E-5 be notated S-950a; and,
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

B. That the applicant enter into an encroachment agreement with the City of Hamilton for the portions of the building, steps and retaining wall which encroach upon the Walnut Street road allowance.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson, -2.

**CARRIED.**



10.
  - A. That approval be given to Official Plan Amendment No. 110 to redesignate Blocks "1" and "2" from "Open Space" to "Residential", and to remove the affected portions of Blocks "1" and "2" from the "Hazard Lands" designation, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton Wentworth.
  - B. That approval be given to amended Zoning Application 91-18, Vedemo Construction Limited, owner, for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1"); from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District (Block "2"); and from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "RT-20" (Townhouse - Maisonette) District (Block "3"), to permit development of the subject lands for two (2) single-family dwellings and townhouses, in conjunction with development of adjoining lands to the south, for lands located on the west side of Bow Valley Drive and south of Highridge Avenue, as shown on the attached map marked as Appendix "D", on the following basis:
    - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
    - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District;
    - (c) That Block "3" be rezoned from "D" (Urban Protected Residential, One and Two - Family Dwellings, Townhouses, etc.) District to "RT-20" (Townhouse - Maisonette) District;
    - (d) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variance as a special requirement:
      - (i) That notwithstanding Sections 9(3)(ii) and 9(3)(iii) of Zoning By-law No. 6593, no building or structure, except a fence, shall be set back less than 7.5 m from the "top of bank" along the west limit of Block "1";



- (e) That the "RT-20" (Townhouse - Maisonette) District regulations as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
  - (i) That notwithstanding Section 10E(4)(b) of Zoning By-law No. 6593, no building or structure, except a fence, shall be set back less than 7.5 m from the "top of bank" along the west limit of Block "2";
- (f) That the "RT-20" (Townhouse-Maisonette) District regulations applicable to the lands shown as Block "4" be further amended as follows:
  - (i) The subsection 1. of Section 2. of By-law No. 76-161 be amended by adding the wording, "except a fence" after the word "structure" in the first line, by changing the dimension "25 feet" in the second line to "7.5 m", and by substituting the wording "top of bank" for the wording "edge of the ravine" after the word "the" in the second line, so that the revised Section reads as follows:

"2.1 No building or structure, except a fence, shall be set back less than 7.5 m from the top of bank extending along the west limit of Block "1".
- (g) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as S-487a, and that the subject lands on Zoning District Map E-124 be notated S-487a;
- (h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-124 for presentation to City Council;
- (i) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 110 by the Regional Municipality of Hamilton Wentworth;



- (j) That the Riverdale East Neighbourhood Plan be amended by redesignating Block "1" from "Park and Recreational" to "Single and Double Residential", by redesignating Block "2" from "Park and Recreational" to "Attached Housing" and by redesignating part of Block "3" from "Single and Double Residential" to "Attached Housing".
  - C. That the amending By-law not be forwarded for passage by City Council until such time as the applicant submits a survey plan showing the "top of bank" to the satisfaction of the Hamilton Region Conservation Authority, for those lands adjacent to the Stoney Creek Ravine forming part of the subject lands.
11. That approval be given to amended Zoning Application 91-87, Tyka Investments Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District (Block 1) and "RT-20" (Townhouse-Maisonette) District (Block 2) to permit the development of the subject lands for small lot single-family dwellings and townhouses for property located at 1158 Upper Wentworth Street, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District;
  - (c) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
    - (i) that a visual barrier of not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly limit of the District.
  - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1271, and that the subject lands on Zoning District Map E-18B be notated S-1271;



- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-18B for presentation to City Council;
- (f) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,
- (g) That the Crerar Neighbourhood Plan be amended to redesignate Block "2" from "Single and Double" to "Attached Housing".
- (h) That access to Block 2 be at the extreme southerly property line to Upper Wentworth. **ADDED AND CARRIED.**

12. That leave be granted to introduce the following Bills:

- (a) Bill C-49 A By-law to amend Zoning By-law No. 6593 respecting lands located in the area south of Rymal Road East and west of the proposed extension of Upper Wentworth Street
- (b) Bill C-50 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 165 Burton Street
- (c) Bill C-51 A By-law to adopt Official Plan Amendment No. 109 respecting text changes to subsection C.7 - Residential Environment and Housing Policy and subsection D.9 - Notification and Public Participation Procedure of the Hamilton Official Plan
- (d) Bill C-52 A By-law to amend Zoning By-law No. 6593 as amended by By-law 86-223 respecting Definition of "Outdoor Patio"



1992 April 28

- (e) Bill C-53     A By-law to amend Zoning By-law No. 6593 respecting lands located west of Upper Sherman Avenue and south of Stone Church Road East

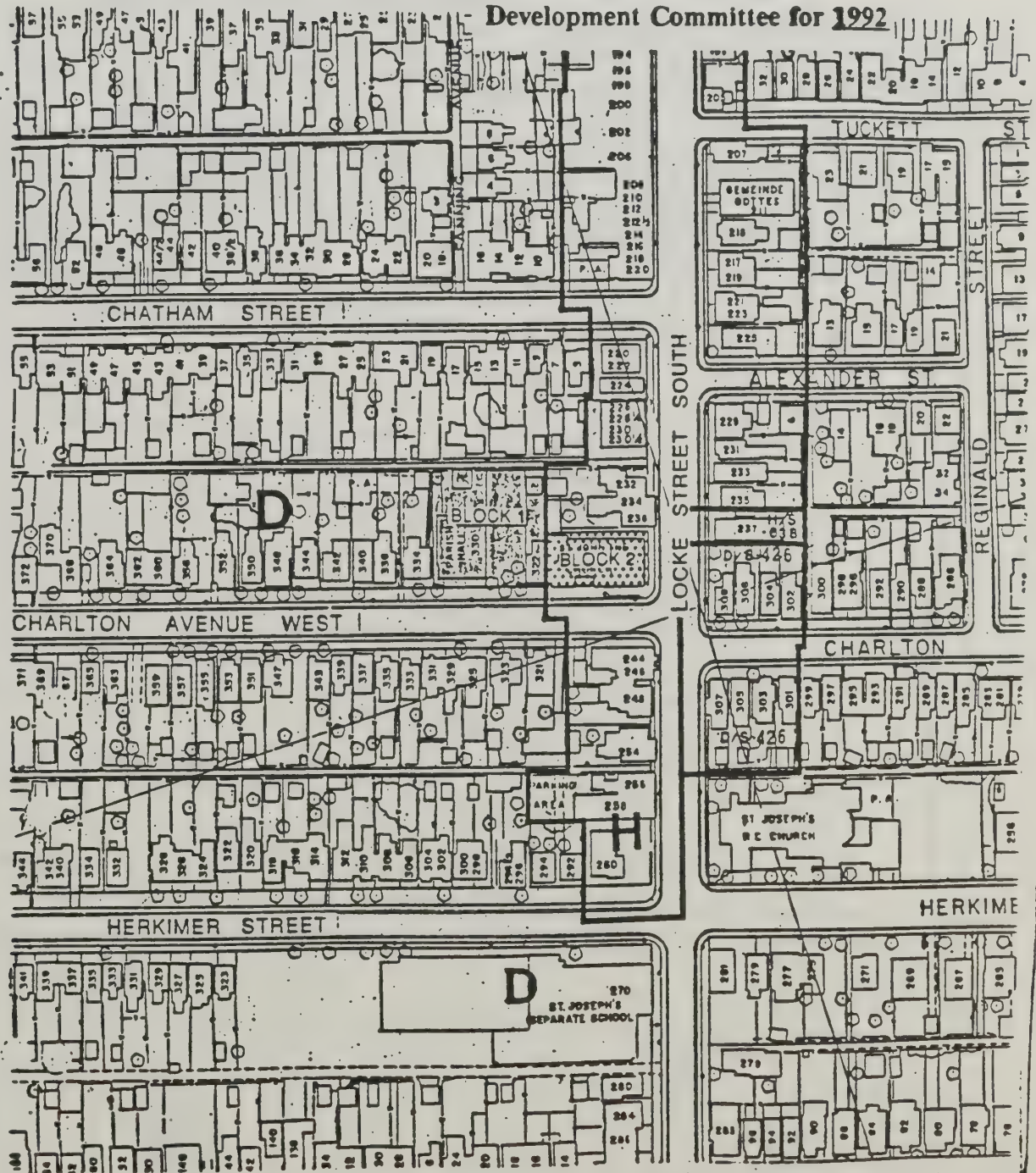
Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

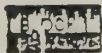
Tina Agnello  
Secretary  
1992 April 22



Appendix "A" referred to  
in Section 1 of the Eighth  
Report of the Planning and  
Development Committee for 1992



Legend



Proposed change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District, Modified.



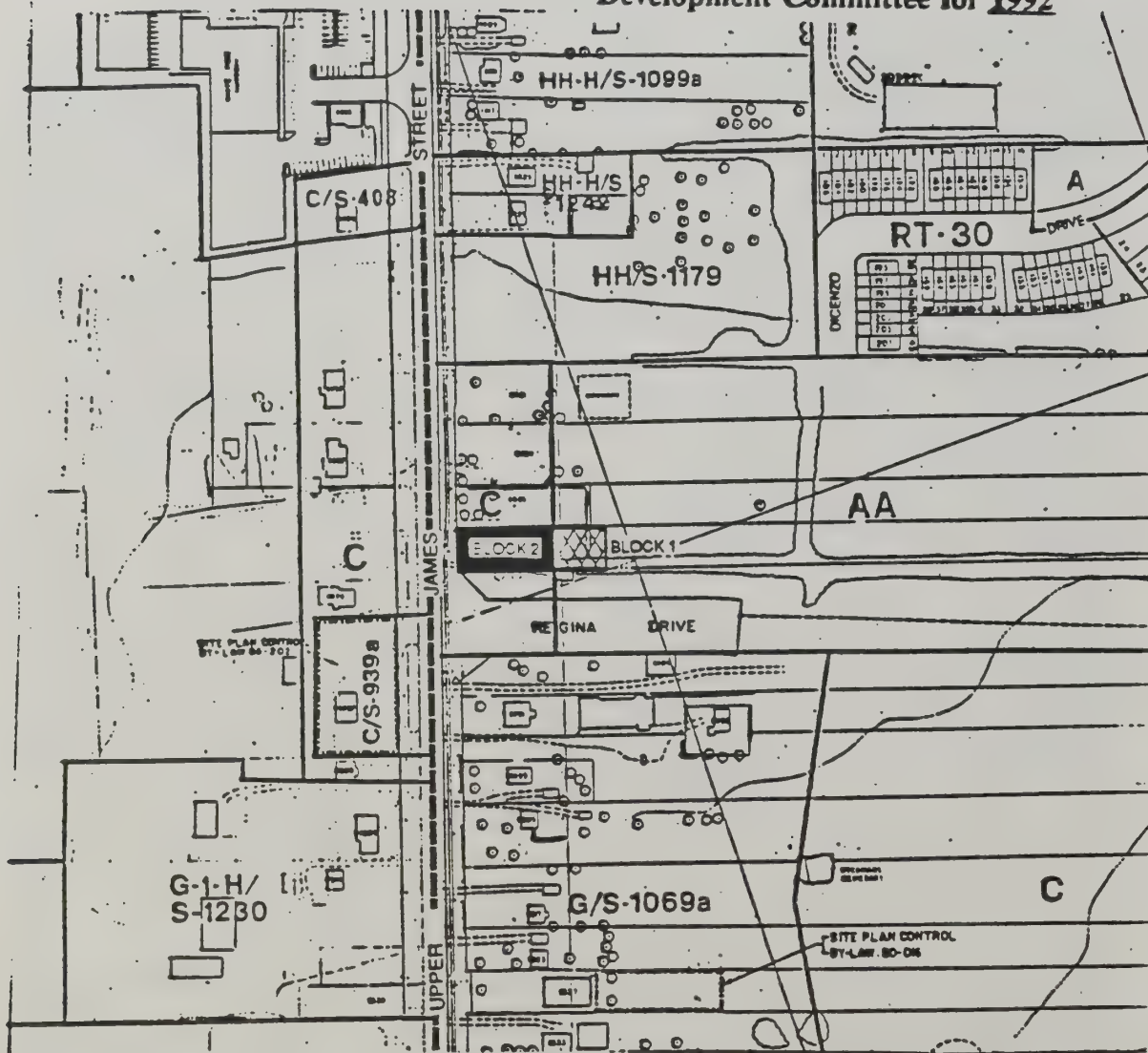
Modification to the "H" (Community Shopping and Commercial, etc.) District.





1992 April 28

Appendix "B" referred to  
in Section 8A of the Eighth  
Report of the Planning and  
Development Committee for 1992



Legend

Proposed change in zoning from:

BLOCK 1

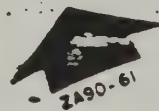


BLOCK 2



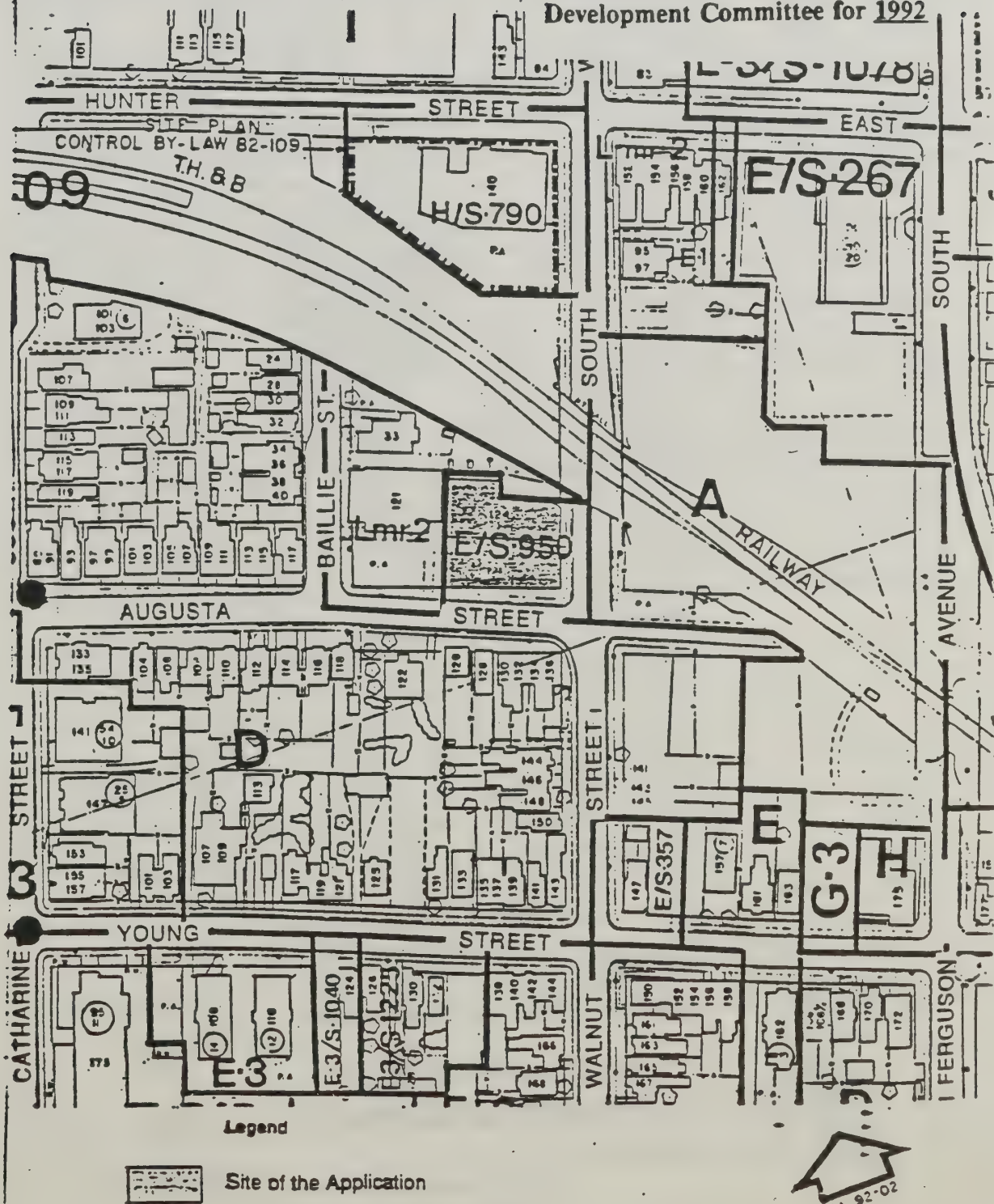
"AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District.

"C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District.





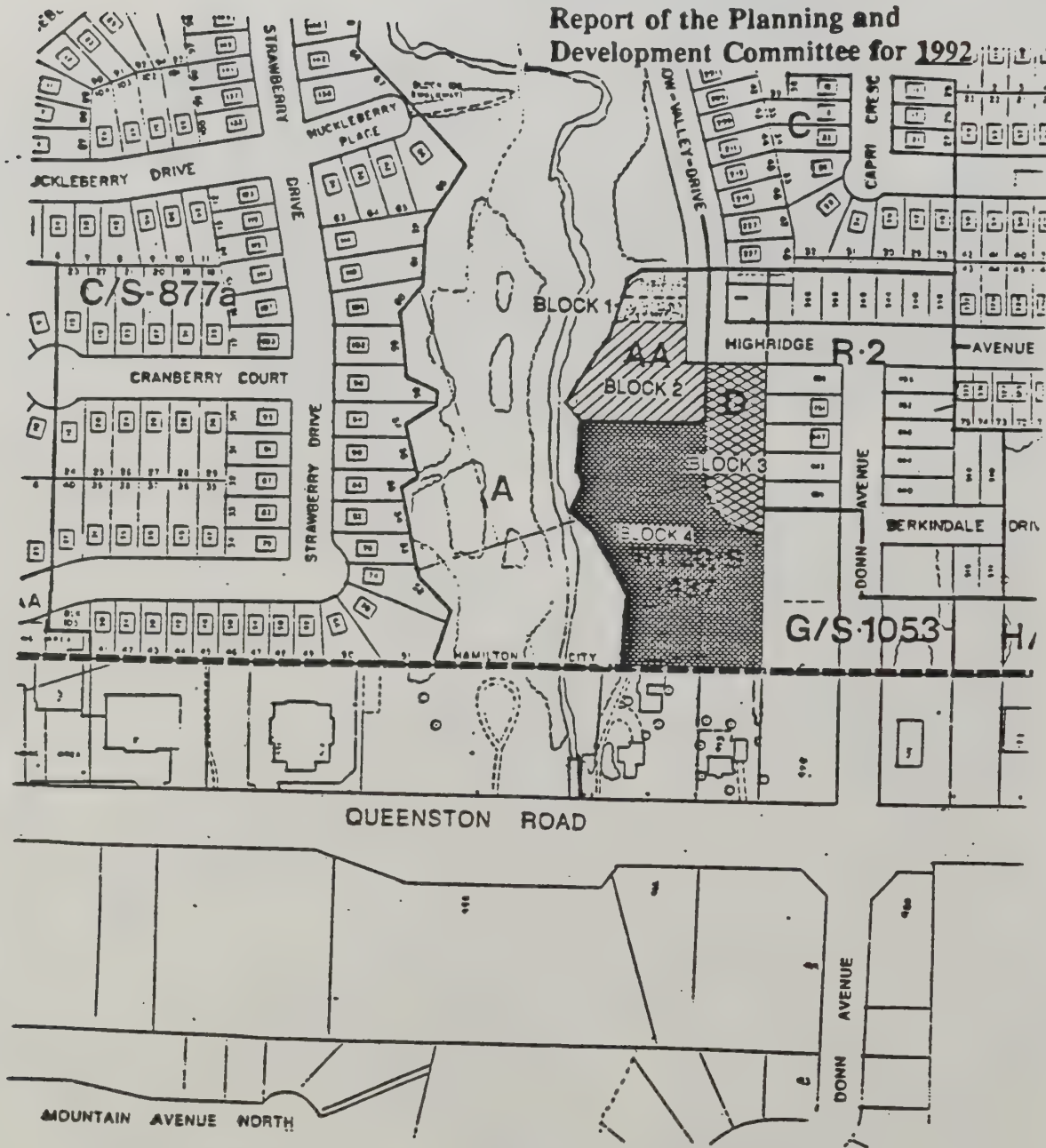
Appendix "C" referred to  
in Section 9A of the Eighth  
Report of the Planning and  
Development Committee for 1992









1992 April 28

**Appendix "D" referred to  
in Section 10B of the Eighth  
Report of the Planning and  
Development Committee for 1992**



**Legend**

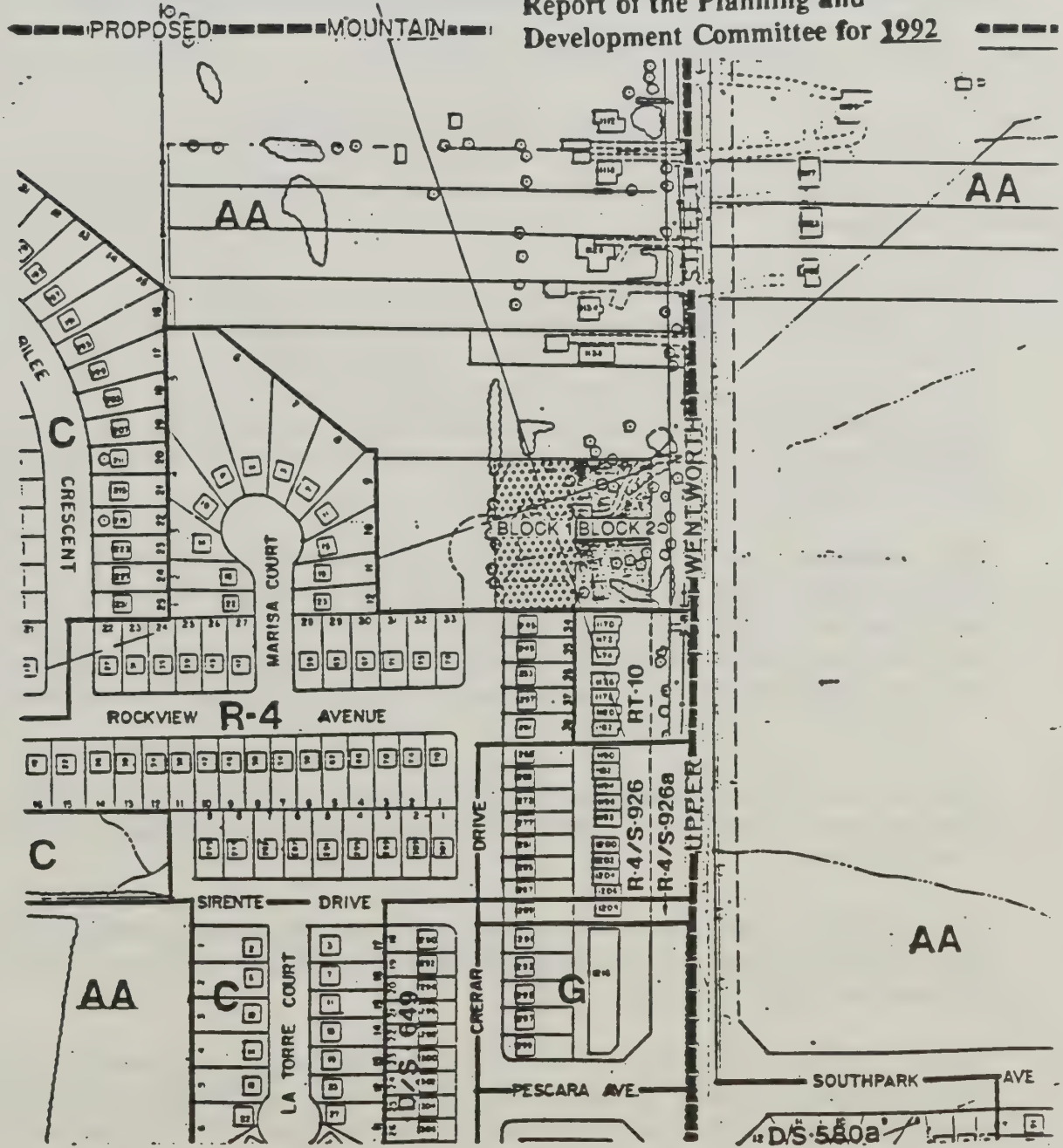
Proposed change in zoning from :

- BLOCK 1  "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
- BLOCK 2  "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District.
- BLOCK 3  "D" (Urban Protected Residential-One and Two Family Dwellings, Townhouses, etc.) District to "RT-20" (Townhouse-Maisonette) District.
- BLOCK 4  Lands to be further amended





Appendix "E" referred to  
in Section 11 of the Eighth  
Report of the Planning and  
Development Committee for 1992

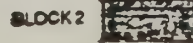


Legend

Change in zoning from "AA" (Agricultural District) to:



"R-4" (Small Lot Single-Family Detached) District.



"RT-20" (Street-Townhouse) District.



## REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1992 and respectfully recommends:

1. That the Cab Driver Licence application of Moshern Shabanian, #7 - 1 East 37th Street, Hamilton be denied on the grounds of the applicant's extensive driving record.

Mr. Shebanian attended before the Licensing Committee at their meeting of 1992 April 09 to show cause why he should be granted a Cab Driver Licence in view of his extensive driving record.

The Committee reviewed Mr. Shebanian's driving record and noted the staff recommendation to deny. Mr. Shabanian spoke on his own behalf and agreed that his driving record was not good. However he stated that two of the charges had occurred as a result of misunderstandings. The Licensing Committee considered Mr. Shebanian's application and subsequently made the foregoing recommendation.

2. That the Cab Driver Licence application of Warren E. Schofield, 39 Parkdale Avenue South, Hamilton be denied on the grounds of the applicant's extensive criminal record.

Mr. Schofield attended before the Licensing Committee at their meeting of 1992 April 09 to show cause why he should be granted a Cab Driver Licence in view of his extensive criminal record.

The Committee reviewed Mr. Schofield's criminal record and noted the staff recommendation to deny. Mr. Schofield spoke on his own behalf and advised the Committee that he was trying to get his life back in order, had complied with the recommendations of his parole and had completed a drug assessment programme.



1992 April 28

After consideration the Licensing Committee made the foregoing recommendation.

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE  
CHAIRPERSON  
CITY OF HAMILTON LICENSING COMMITTEE**

Stella Glover  
Secretary

1992 April 08



## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1992 and respectfully recommends:

1. That the surplus funds of \$579,047.96 from the 1991 Reserve for the Replacement of Mobile Equipment to replace fully depreciated equipment be returned to the Reserve for the Replacement of Mobile Equipment.
2. That the surplus of \$113,091.40 from the 1990 Reserve for the Replacement of Mobile Equipment to replace fully depreciated equipment be returned to the Reserve for the Replacement of Mobile Equipment.
3. That as referred to in Section 18 of the Fifth Report of the Finance and Administration Committee adopted by City Council 1992 April 14, the City's share of services for "Orchard Park Estates Addition" subdivision in the amount of \$4,175. be financed from the Reserve for City's Share of Services through Unsubdivided Lands, Account Centre No. CH00107.
4.
  - (a) That the Hamilton AIDS Network for Dialogue and Support be granted permission to use the City Hall forecourt and related equipment on Sunday, 1992 May 24 from 12:00 noon until approximately 4:30 p.m. to begin a 10 km. Walk-a-thon and end with a barbecue for walkers and volunteers.
  - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
5. That the Otago Orchestra Canadian Tour be granted permission to use the City Hall forecourt and related equipment on Wednesday, 1992 July 22 at 12:00 noon to present a concert.



6. That approval be given to the action taken by the City Clerk in authorizing the Ontario Building Officials Association to hold a meeting in the Council Chambers on Thursday, 1992 April 23 from approximately 7:00 - 10:00 p.m.
7. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 April 14, attached herewith and marked Appendix "A", be approved.
8. That a purchase order be issued to Time Software, Toronto for the supply and delivery of various software packages as and when required for a 12 month term, commencing 1992 May 2nd, being the lowest of four tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that these expenditures be financed through various approved Accounts.
9. That the 1992 invoice from Information Builders for software maintenance in the amount of \$53,516.56 (plus G.S.T.) be authorized for payment from Account CH5609X-26021 (User Software).
10. That the 1992 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes in accordance with Column (10) of the Schedule attached herewith and marked Appendix "B".
11.
  - (a) That the City of Hamilton welcome and host the Academic Folklore Group from Ljubljana, Slovenia at the forecourt of City Hall with refreshments in the Council foyer, on Thursday, 1992 August 20th at 2:00 p.m.;
  - (b) That the cost for this reception be charged to the Special Civic Receptions and Delegation Hosting Account CH55314 84010 in the amount of \$375.; and,
  - (c) That the flag of Slovenia be flown from City Hall at the time of the ceremony.



12. (a) That a loan guarantee to a maximum of \$100,000. be provided to the Canadian Country Music Association in support of Country Music Week in 1993 in Hamilton, to be repaid from initial revenues of the event, and that this amount (\$100,000.) be set aside in the "Reserve for Contingency" account.
- (b) That a grant of \$20,000. to the Canadian Country Music Association be approved for payment in 1993 and committed as a first charge against the 1993 Special Receptions and Delegation Hosting account.
- (c) That the above financial support be subject to submission of audited financial statements by C.C.M.A., and an agreement satisfactory to the City Solicitor for the recovery of the loan guarantee funds, as necessary.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Agostino. (2)

**CARRIED.**

13. That whereas the authority to legislate and legalize casino gambling falls within the mandate of the Province of Ontario and recognizing that this is solely a Provincial matter, the City of Hamilton declines to either endorse or oppose casino gambling in Ontario.
14. (a) That in light of the present economic difficulties and the downturn in construction activity, City Council authorize a public meeting to be called and advertised in accordance with Section 4 of the Development Charges Act to consider the following proposed amendments which have the effect of reducing development charges by 40%:



- (i) That sentence 8.(1) of By-law 90-74 be amended to read:

<u>Type of Residential Unit</u>	<u>Per Unit</u>
- single detached dwelling, semi-detached dwelling, row dwellings	\$1,723.20
- two or more bedroom apartment	\$1,216.38
- bachelor and one bedroom apartment	\$ 658.87

- (ii) That sentence 13.(1) be amended to read:

Subject to the provisions of this part and this by-law, development charges against land to be developed for non-residential use shall be calculated and collected at the base rate of \$6,927.60 per hectare.

- (iii) That sentence 13.(2) be amended to read:

Where the gross floor area of a building is greater than 50% of the gross area of the lot on which the building is or is to be located, a surcharge shall be applied at the rate of \$1.4208 per square metre to that portion of the building that is greater than 50% of the gross area of the lot.

- (iv) That the rates be retroactive to 1992 January 1.

- (b) For the information of the members of City Council, the Staff Subcommittee will report back to the Finance and Administration Committee in 1993 March on the effect of the development charge reduction and recommend development charges from 1993 July 1 onwards. The Staff Subcommittee will also examine and report back to the Finance and Administration Committee on a method for exempting infill commercial, industrial, and residential development, and on developing a method for calculating development charges and other service charges where the overall charges are excessive and impede development of land.



15. That subject to the approval of the Ukrainian Canadian Congress, Hamilton Branch, the monument commissioned by them be installed on City Hall grounds at the site west of the western limit of the City Hall building itself as indicated on the site plan attached herewith and marked Appendix "C".
16.
  - (a) That approval be given to the action taken in hosting a small civic luncheon on Saturday, 1992 April 18th at a cost of \$277.94 to honour the last surviving relative of General Crerar, and to thank Brigadier Todd and his family for their donation of the sterling silver tray which had been presented to General Crerar by the City in Hamilton in 1945.
  - (b) That the cost of this reception be charged to the Special Civic Receptions and Delegation Hosting Account CH55314 84010.
17.
  - (a) That the standard letterhead, that includes the use of the City logo, attached herewith and marked Appendix "D", be adopted for use by City Departments;
  - (b) That related-stationery for City Departments (envelopes and business cards) incorporate the same design concepts; and,
  - (c) That the use of the letterhead and related stationery be phased in only as existing supplies are exhausted.
18. That the City of Hamilton Data Centre Renovation Project be retendered, as all six bids received were incomplete.
19. That the following salary classifications be approved:

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
General Foreman/Manages, woman co-ordinates and (Forestry) directs the operations of the Forestry Section.		K	\$47,412.56 - \$55,811.08



General Foreman/Manages, plans	K	\$47,412.56 -
woman and co-ordinates		\$55,811.08
(Beautification) the operations of the		
Beautification and		
Greenhouse Sections.		

20. That the resolution from the Canadian Housing and Renewal Association respecting support for efforts to keep a viable social housing sector in place, attached herewith and marked Appendix "E", be received.
21. That the submission of the City of Etobicoke to the Minister of Municipal Affairs respecting proposed Amendments to the Provincial Municipal Conflict of Interest Act, attached herewith and marked Appendix "F", be received.
22. That the following resolution from the City of Kingston respecting proposed Municipal Conflict of Interest regulations be received:

WHEREAS the Province of Ontario has proposed new Municipal Conflict of Interest regulations;

AND WHEREAS enforcement of these guidelines could be done through the existing system of provincial courts which are funded by the Province;

AND WHEREAS the proposed Conflict of Interest regulations create a new bureaucracy called the Office of the Municipal Conflict of Interest Commissioner, to enforce the regulations instead of the Courts;

AND WHEREAS the proposed Conflict of Interest regulations stipulate that the cost of the new bureaucracy should be borne by Municipalities;

THEREFORE BE IT RESOLVED that the City of Kingston inform the Minister of Municipal Affairs and local MPPs that the creation of a new Office of Municipal Conflict of Interest Commissioner is acceptable only if the cost of this new bureaucracy is borne by the Province.



23. (a) That the Province be requested to extend its deadline to the Consultation Process on the Open Local Government Proposal on Municipal Conflict of Interest to enable the Association of Municipalities of Ontario to deal with the proposals;
- (b) That the Draft legislation on the Open Local Government Proposal by the Minister of Municipal Affairs be referred to the Association of Municipalities of Ontario;
- (c) That the Province be advised that the City of Hamilton does not support the creation of the proposed Office of the Municipal Conflict of Interest Commissioner;
- (d) That the "bona fide error of judgement" defence not be deleted; and,
- (e) That the Province be advised that the City of Hamilton does not support the proposal for the Province to have the first right of refusal to purchase surplus municipal lands.
- (f) That the City Solicitor be directed to prepare a draft City of Hamilton resolution for the consideration of the Finance and Administration Committee on the City's concerns with respect to the Open Local Government Proposal on Municipal Conflict of Interest for submission to the Association of Municipalities of Ontario." **ADDED AND CARRIED.**

**Recorded vote on Section 23 (c)**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Jackson, Merling, Anderson, Ross. -12.

NAYS: Aldermen Cooke, Wilson, Agostino, D'Amico -4. **CARRIED.**

**Recorded vote on Section 23 (d)**

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Charters, Jackson, Merling, Anderson, Ross. -12.

NAYS: Aldermen Cooke, Wilson, Agostino, D'Amico -4. **CARRIED.**



24. That leave be granted to introduce the following Bills:

- (a) Bill H-23 A By-law to authorize the Levy of a Special Charge in respect of: Barton Street East #1 Business Improvement Area generally covering both sides of Barton Street from the West side of Wellington Street to the east side of Wentworth Street.
- (b) Bill H-24 A By-law to authorize the Levy of a Special Charge in respect of: Westdale Village Business Improvement Area generally covering King Street West and the area of the intersection of Cline Avenue and King Street West and extending to an area west of Newton Avenue and Sterling Street.
- (c) Bill H-25 A By-law to authorize the Levy of a Special Charge in respect of: The International Village Business Improvement Area generally covering both sides of King Street East between Mary Street and Wellington Street North.
- (d) Bill H-26 A By-law to levy the Special Charges for 1992 for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151.
- (e) Bill H-27 A By-law to authorize the Levy of a Special Charge in respect of: The Concession Street Business Improvement Area generally comprised of lands covering Concession Street between East 18th Street and East 25th Street.
- (f) Bill H-28 A By-law to authorize the Levy of a Special Charge in respect of: The Main Street West Esplanade Business Improvement Area generally comprised of lands on the east and west sides of Main Street West between Locke Street on the west and Queen Street on the east.



- (g) Bill H-29 A By-law to authorize the Levy of a Special Charge in respect of: The Ottawa Street North Business Improvement Area generally covering Ottawa Street North between Main Street East and extending to an area north of Barton Street East.
- (h) Bill H-30 A By-law to fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1992.
- (i) Bill H-31 A By-law to fix the Rates of Taxation for Municipal Purposes for the Year 1992.
- (j) Bill H-32 A By-law to fix the Rates of Taxation for Regional Purposes for the Year 1992.
- (k) Bill H-33 A By-law to fix the Rates of Taxation for School Purposes for the Year 1992.
- (l) Bill H-34 A By-law to levy an Annual Tax on Telephone Companies doing business in Ontario respecting: The Bell Telephone Company of Canada. (to repeal By-law #91-088)
- (m) Bill H-35 A By-law to levy an Annual Tax on Telephone Companies doing business in Ontario respecting: The Bell Telephone Company of Canada.
- (n) Bill H-36 A By-law to authorize the Borrowing of \$8,000,000. to Finance Bank Overdrafts as and when they Arise from Current Expenditures.



1992 April 28

- (o) Bill H-37 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1992 April 23**



Appendix "A" referred  
to in Section 7 of the  
Eleventh Report of the  
Finance and Administration  
Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Maurice Beauchamp	Traffic Checker	Traffic	Deceased	14 years, 5 months	25/03/92
Ms. Leora Burton	Junior Cost Control Clerk	Culture & Recreation	Retired	21 years, 5 months	31/03/92
Mr. John Crane	Director, Copps Coliseum	H.E.C.F.I.	Terminated	7 years, 7 months	28/02/92
Mr. Francis Gallant	Truck Driver (Districts)	Public Works	Resigned	12 years, 3 months	21/03/92
Dr. Brian Hotrum	Treasury Officer IV	Treasury	Terminated	31 years, 10 months	07/04/92



1992 April 28

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Ann Apkarian	Section Account (14)	Treasury	Replacing Mr. B. Dickson - promoted	\$31,627.96 to \$35,941.36	02/03/92
Ms. Barbara Fisher	Box Office Clerk (6)	H.E.C.F.I.	Replacing Ms. S. Gruba - promoted	\$22,622.60 to \$25,082.20	06/04/92
Mr. Richard Gadawski	Horticultural Technical Assistant (A-12A)	Public Works	Replacing Ms. P. Ulbinas - promoted	\$44,607.68 to \$51,110.28	08/04/92
Mr. Joel Luke	Rink Attendant I (D-16B)	Culture & Recreation	Replacing Mr. J. Allen - promoted	\$33,910.24 to \$34,326.24	02/03/92
Mr. Leslie Major	Foreman/Woman I (11-C)	Public Works	Replacing Mr. Don Danby - retired	\$37,408.28 to \$44,771.48	30/03/92
Mr. Danny Mazzocato	Truck Driver (D-13A)	Public Works	Replacing Mr. M. Murphy - returned to former position	\$33,076.16 to \$33,987.20	09/03/92
Mr. Brad Merritt	Street Sweeper (D-14D)	Public Works	Replacing Mr. D. Mazzocato - returned to former position	\$33,373.60 to \$33,789.60	\$09/03/92

Prepared 14/04/92



1992 April 28

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Micheal Murphy	Truck Driver (D-13A)	Public Works	Replacing Mr. B. Merritt - returned to former position	\$33,076.16 to \$33,492.16	09/03/92
Ms. Agapi Pirkas	Claims Clerk (13)	Public Works	Replacing Ms. Kay Morden - promoted	\$30,594.20 to \$34,765.64	06/04/92
Mr. Douglas Rose	Chief License Inspector (M)	City Clerk's	Replacing Mr. R. Day - retired	\$40,640.60 to \$47,819.20	09/03/92
Mr. David Snape	Truck Driver (Districts) (D-13A)	Public Works	Replacing Mr. D. Yardley - reclassified	\$33,076.16 to \$33,492.16	21/03/92
Mr. David Yardley	Truck Driver (Districts) (D-13A)	Public Works	Replacing Mr. F. Gallant - terminated	\$33,076.16 to \$33,492.16	21/03/92



Appendix "B" referred  
to in Section 10 of the  
Eleventh Report of the  
Finance and Administration  
Committee for 1992.

City of Hamilton  
Treasury

**COMPARISON OF COMPONENTS AND TOTAL MILL RATES  
FOR THE YEARS 1984 TO 1992 INCLUSIVE**

Description (1)	1984 (2)	1985 (3)	1986 (4)	1987 (5)	1988 (6)	1989 (7)	1990 (8)	1991 (9)	1992 (10)	Increase + Decrease - 1991 to 1992 Mills (11)	% (12)
<b>Residential</b>											
City	69.7323	73.4019	79.3485	83.9779	87.7568	92.2114(1)	96.7685	98.6655	102.5572	3.8917 +	3.94 +
Region	56.8038	59.6126	63.5186	69.3371	73.3187	82.9278(1)	92.1727	99.6322	103.5133	3.8811 +	3.90 +
Sub Total	126.5361	133.0145	142.8671	153.3150	161.0755	175.1392	188.9412	198.2977	206.0705	7.7728 +	3.92 +
<b>Education - Elementary</b>											
- Secondary	58.2132	65.4968	68.4729	73.9790	80.9599	86.5187	104.4188	106.5221	116.9462	10.4241 +	9.79 +
	44.2715	45.1813	43.2464	54.3880	57.1976	62.4175	71.4700	71.2649	69.1713	2.0936 -	2.94 -
Sub Total	102.4846	110.6781	111.7193	128.3670	138.1575	148.9362	175.8888	177.7870	186.1175	8.3305 +	4.69 +
<b>Total Mill Rates</b>	<b>229.0207</b>	<b>243.6926</b>	<b>254.5864</b>	<b>281.6820</b>	<b>299.2330</b>	<b>324.0754</b>	<b>364.8300</b>	<b>376.0847</b>	<b>392.1880</b>	<b>16.1033 +</b>	<b>4.28 +</b>
<b>Non-Residential</b>											
City	82.0379	86.3552	93.3512	98.7975	103.2433	108.4840	113.8453	116.0771	120.6555	4.5784 +	3.94 +
Region	66.8280	70.1325	74.7278	81.5731	86.2574	97.5621	108.4385	117.2144	121.7803	4.5659 +	3.90 +
Sub Total	148.8659	156.4877	168.0790	180.3706	189.5007	206.0461	222.2838	233.2915	242.4358	9.1443 +	3.92 +
<b>Education - Elementary</b>											
- Secondary	68.4860	77.0551	80.5564	87.0341	95.2469	101.7867	122.8456	125.3201	137.5838	12.2637 +	9.79 +
	52.0841	53.1545	50.8781	63.9859	67.2913	73.4324	84.0823	83.8410	81.3780	2.4630 -	2.94 -
Sub Total	120.5701	130.2096	131.4345	151.0200	162.5382	175.2191	206.9279	209.1611	218.9618	9.8007 +	4.69 +
<b>Total Mill Rates</b>	<b>269.4360</b>	<b>286.6973</b>	<b>299.5135</b>	<b>331.3906</b>	<b>352.0389</b>	<b>381.2652</b>	<b>429.2117</b>	<b>442.4526</b>	<b>461.3976</b>	<b>18.9450 +</b>	<b>4.28 +</b>

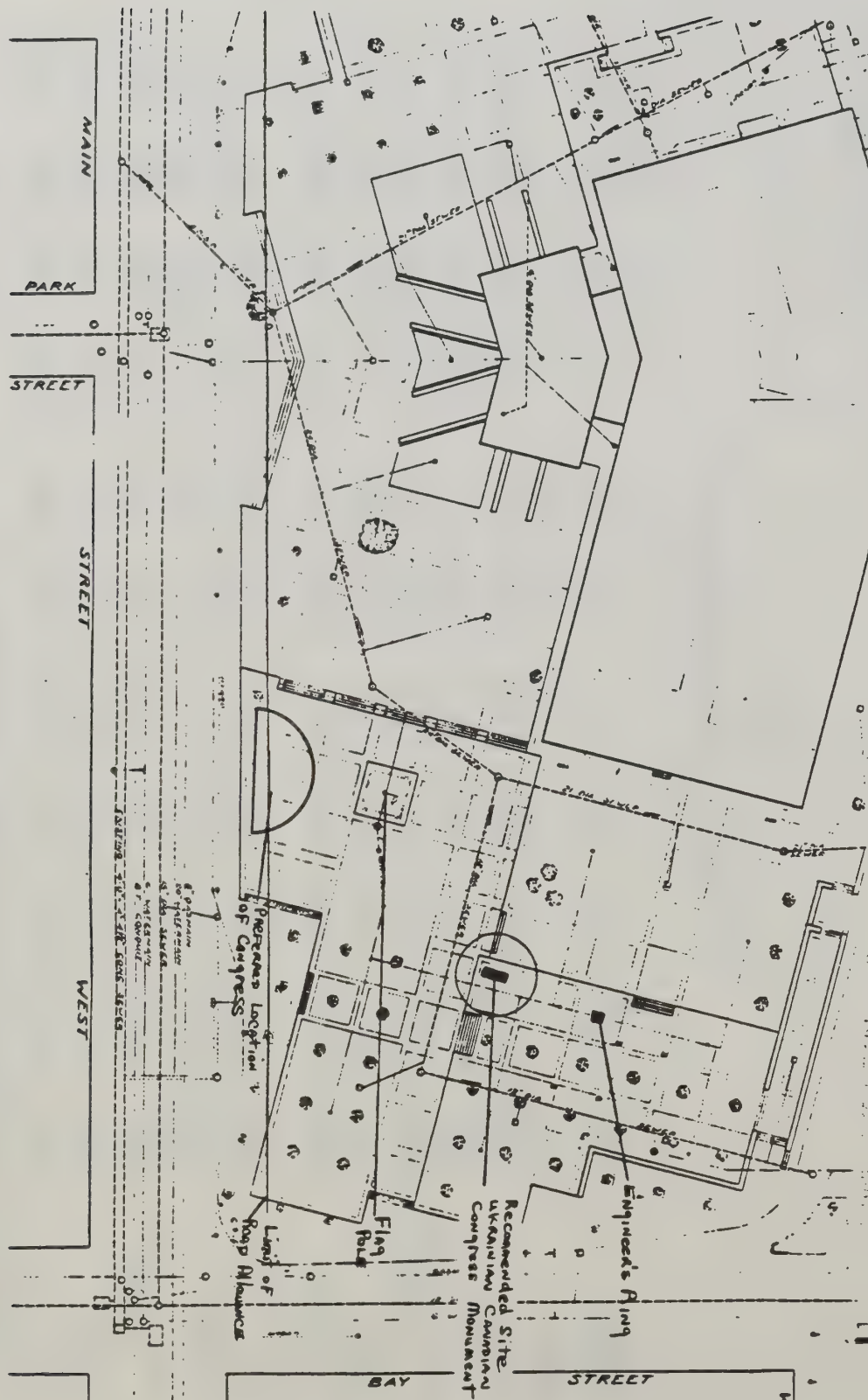
Notes: The 1992 mill rates were calculated based on the 1991 unreviewed assessment for 1992 taxation.

(1) The mill rates in 1989 reflect the transfer of 3,358 residential mills from the City of Hamilton to the Regional Municipality of Hamilton-Wentworth for the subsidized transit fare program within the City of Hamilton totalling \$3,483,570.00 for the year 1989.



1992 April 28

Appendix "C" referred  
to in Section 15 of the  
Eleventh Report of the  
Finance and Administration  
Committee for 1992.







City of  
HAMILTON

Appendix "D" referred  
to in Section 17(a) of the  
Eleventh Report of the  
Finance and Administration  
Committee for 1992.

*This is the appearance of the generic letterhead (except for colours) before a letter is printed on it....*

Colours:      Green - Pantone B354U  
                  Blue - Pantone 293U





1992 April 28

**DRAFT RESOLUTION**

Appendix "E" referred  
to in Section 20 of the  
Eleventh Report of the  
Finance and Administration  
Committee for 1992.

~~WHEREAS~~ the latest Federal budget has slashed the planned commitments for social housing for 1992 from 12445 units to only 8216 units, a decline of 34%; and

~~WHEREAS~~ the rate of Federal withdrawal from social housing programs has accelerated alarmingly from a 52% decline in the ten years between 1980 and 1990 (from 31,392 units to 15,130) to an almost comparable decline in only two years since then (down 46% since 1990); and

WHEREAS this reduction includes the complete cancellation of the Co-operative Housing Program which provides an alternative to the standard form of rental tenure; and

WHEREAS this decline in social housing allocations represents a tremendous loss of employment opportunities (in the order of 11,000 jobs) at a time when the housing industry is facing severe difficulties;

WHEREAS there are 880,000 renter households in Canada in core housing need and whose housing needs are unable to be served by the private market; and

WHEREAS there are more than 75,000 households on waiting lists for social housing in thirteen of the big cities alone and probably close to 200,000 households on waiting lists nationally (it is estimated that there are over 100,000 households on the waiting lists in Ontario alone); and

WHEREAS Canadians should have the right to adequate and affordable housing; and

WHEREAS a strong Federal presence in housing programs is essential to ensure equality of access to affordable housing by all Canadians; and

WHEREAS devolution of housing responsibility to the Provinces inevitably results in further devolution to municipalities whose revenue base cannot support ongoing housing operating subsidy costs and which are presently facing extraordinary financial pressures themselves as a result of declining transfer payments; and

THEREFORE BE IT RESOLVED that the communicate by  
telegram to the Prime Minister of Canada and area MPs its dismay at the disregard shown for the low and moderate income households in this country who are either trying to manage on some type of social assistance or pension or working on limited wages that do not permit access to adequate and affordable housing in the private market; and

BE IT FURTHER RESOLVED that the - in the same  
communication request the Prime Minister to rescind this reduction to the social housing programs and, as a minimum, restore the allocations, including the Co-operative Housing Program to the planned level of commitment and further, that the Federal Government convene a meeting of federal and



1992 April 28

provincial housing ministers and officials and representatives of the Federation of Canadian Municipalities, the Canadian Housing and Renewal Association, the Co-operative Housing Federation of Canada and the Canadian Home Builders Association to address the issue of the future funding of social housing programs.



MUNICIPAL CONFLICT OF INTEREST ACT

City of Etobicoke Council Submission to the Minister of Municipal Affairs

---

1. Council rejects the necessity for the proposed legislation and submits that amendments to the existing Municipal Conflict of Interest Act be considered.

2. Such amendments to the existing legislation should include:

a) discretion to the judge hearing a case under the Act to award a complainant's costs against a municipality where the judge considers it appropriate.

b) greater latitude to the judge to impose penalties where there is a breach of the Act. These penalties might allow discretion to impose fines or suspensions. [As the Act is now worded, the judge in addition to requiring restitution may only declare the seat vacant (and may disqualify the member for up to seven years) or the judge may not disqualify on grounds of inadvertence or bona fide error in judgment. There currently is no middle ground.] The Act should permit a judge to make a finding of bona fide error or inadvertence.

3. If the legislation is to proceed, the following matters be considered:

a) the only asset to be disclosed would be land holdings of the member, the member's spouse or any minor child of the member within the municipality or any immediately adjacent municipality.

b) neither income nor liabilities would be disclosed.

c) that given the difficulty with the definition, the reference to "gifts" be deleted from the legislation.

d) that the office of the Commissioner and all procedures relating to that office be deleted.

e) that a judge be permitted to make a finding of bona fide error.



CA4 ON HBL A05  
M21  
1992

1992 May 12

Hamilton City Council  
1992 May 12  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger,  
Jackson, Charters, Merling, Anderson, Ross.

Absent: Alderman W. McCulloch - civic business  
Alderman G. Copps - vacation  
Alderman F. D'Amico - civic business

Father Stephen Chmilar, St. Nicholas Ukrainian Catholic Church led Council in prayer.

\* \* \* \* \*

Mayor R. M. Morrow proclaimed the following:

"Tornado Awareness Week - 1992 May 11 - 17"

"Sickle Cell Anemia Month - 1992 May"

\* \* \* \* \*

Mayor R. M. Morrow administered the "Declaration of Appointed Office" to Mr. Allan C.  
Ross, City Treasurer.

\* \* \* \* \*

The minutes of the meeting held 1992 April 28 were adopted as corrected.

\* \* \* \* \*



Correspondence:

1. Letter dated 1992 April 30 from The Hamilton Harbour Commissioners in response to City Council's letter of 1992 April 15 regarding dumping in the area of the Windermere Basin in which a meeting was requested with Hamilton Harbour Commission representatives to discuss the issue of the Windermere Basin dumping.

**Received.**

2. Letter dated 1992 May 7 from PPM Canada Inc. regarding the tendering of project number 92-2569 Hazardous Soil Extraction Project - Harbourfront Park.

**Received.**

3. Application dated 1992 April 23 from Chin Shee Shing and Chin Nor Fai, Stoney Creek, Ontario for a modification to the "M-13" (Prestige Industrial) District for Nos. 1123, 1131, 1135 Stone Church Road East, Hamilton, Ontario.

**Received.**

4. Application dated 1992 April 24 from Landawn Shopping Centres Limited, Toronto, Ontario for a further modification to the "HH" (Restricted Community Shopping and Commercial etc.) District regulations for property located south of the C.N. Railway, east of Centennial Parkway North, Hamilton, Ontario.

**Received.**

5. Application dated 1992 April 27 from Shell Canada Products Limited, North York, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District modified for property at No. 1630 Upper Gage Avenue, Hamilton, Ontario.

**Received.**



6. Application dated 1992 April 30 from R. P. Baldessarini, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings) District to "G-3" (Public Parking Lots) District at 412 Charlton Street West, Hamilton, Ontario.

**Received.**

7. Application dated 1992 May 5 from David K. Lord and Eileen R. Booty, Hamilton, Ontario for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for No. 173 Bold Street and No. 20 Wheeler Place, Hamilton, Ontario.

**Received.**

8. Application dated 1992 May 5 from 870964 Ontario Limited, Unionville, Ontario for a further modification to the existing "G" (Neighbourhood Shopping Centre) District to permit restaurants at 209 Limeridge Road East, Hamilton, Ontario.

**Received.**

9. Application dated 1992 May 4 from Stanley Hinz, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 62 Kennedy Avenue, Hamilton, Ontario.

**Received.**

10. Application dated 1992 May 1 from Rolando Pineda Estrabillo, Stoney Creek, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) modified District for 860 Upper Wentworth Street, Hamilton, Ontario.

**Received.**



11. Application dated 1992 May 4 from 200 Rymal Road Inc., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 200 Rymal Road East, Hamilton, Ontario.

**Received.**

12. Letter dated 1992 May 8 from John Thompson, Acting City Clerk, respecting objections to By-law 92-090 regarding property located at No. 475 Nebo Road, Hamilton, Ontario.

**Received.**

13. Facsimile dated 1992 May 12 from PPM Canada Inc. regarding the tendering of project number 92-2569 - Hazardous Soil Extraction Project - Harbourfront Park.

**Received.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Special Committee to Administer the Hamilton-Scourge Project, and the Finance and Administration Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



**TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT**

**Section 19 Re: Issuance of Annual Permits under City Traffic By-law 89-72**

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 19 of the SIXTH Report of the Transport and Environment Committee be amended as follows:

1. That the following be added to the end of the last sentence of sub-section (a):  
"and that where an application is proposed to be denied by the Commissioner, the application must first be considered by the Transport and Environment Committee."
2. That the following be added as sub-section (c):
  - (c) That the Commissioner of Transportation/Environmental Services be directed to bring for consideration of the Transport and Environment Committee, applications from companies that had not previously been granted an annual permit, prior to issuing a permit."

**CARRIED.**

\* \* \* \* \*

**Section 28 Re: Philip Environmental Service Corp. - Waste Disposal Site - 799-800 Parkdale Avenue North**

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro is a consultant for an affiliated Company.

\* \* \* \* \*



**Section 30 Re: 1992 Road and Sidewalk Capital Improvement Programme**

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 30 of the FIFTH Report of the Transport and Environment Committee approved by City Council on 1992 April 14 regarding the 1992 Road and Sidewalk Capital Improvement Programme be reconsidered. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Anderson that Appendix "A" of Section 30 of the Fifth Report of the Transport and Environment Committee respecting the 1992 Road and Sidewalk Capital Improvement Programme be amended as follows:

- (a) By deleting Centennial Parkway in the vicinity of Arrowsmith Road, road widening at an estimated cost of two hundred and eighty-nine thousand dollars (\$289,000.) and including Warren Avenue between South Bend Avenue and Fennell Avenue, road and sidewalk reconstruction in conjunction with watermain work at an estimated cost of four hundred and thirty-nine thousand, three hundred dollars (\$439,300.).

- (b) By adding the following funding recommendation:

"That the funds required to proceed with Warren Avenue Road and sidewalk work be provided from the Centennial Parkway project and from the surplus funds available in the 1991 Road Reconstruction Programme estimated to be two hundred thousand dollars (\$200,000.)." **CARRIED.**



**PARKS AND RECREATION COMMITTEE - NINTH REPORT**

**Section 1 Re:        Selling of Alcoholic Beverages - Hamilton Ladies Slo-Pitch Assoc. -  
                         Opening Day Baseball Game - Globe Park**

Recorded vote.

**YEAS:            Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Wilson, Agostino,  
                         Eisenberger, Charters, Merling, Anderson, Ross. -12.**

**NAYS:            Alderman Jackson. -1.**

**CARRIED.**

**Section 8 Re:        Philip Environmental Services Corp. - Hazardous Soils - Harbourfront  
                         Park**

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro is a consultant for an affiliated Company.

**PARKS AND RECREATION COMMITTEE - TENTH REPORT**



**PLANNING AND DEVELOPMENT COMMITTEE - NINTH REPORT**

**Section 8 Re: Zoning Application 92-05 - James and Felicia Capuccinello Iraci - 50 Christopher Drive**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger Charters, Jackson, Anderson, Ross. -13.

**NAYS:** Alderman Merling. -1.

**CARRIED.**

**CITY OF HAMILTON LICENSING COMMITTEE - FOURTH REPORT**

**SPECIAL COMMITTEE TO ADMINISTER THE  
HAMILTON-SCOURGE PROJECT - FIRST REPORT**



**FINANCE AND ADMINISTRATION COMMITTEE - TWELFTH REPORT**

**Section 23    Re: Sale of LaSalle Park**

It was moved by Alderman Ross and seconded by Alderman Eisenberger that Section 23 of the Twelfth Report of the Finance and Administration Committee be amended by deleting the entire Section and inserting in lieu thereof the following:

23.    (a)    That Mayor R. Morrow; Alderman D. Ross, Chairperson of the Finance and Administration Committee; and J. Pavelka, Acting Chief Administrative Officer be authorized to meet with representatives from the City of Burlington to negotiate the possible sale of LaSalle Park to the City of Burlington.

Recorded vote.

YEAS:       Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Eisenberger, Anderson, Ross. -8.

NAYS:       Aldermen Cooke, Kiss, Agro, Charters, Jackson, Merling. -6. **CARRIED.**

\* \* \* \* \*

**Section 23    Re: Sale of LaSalle Park**

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that the motion of Alderman Ross to amend Section 23 of the Twelfth Report of the Finance and Administration Committee be further amended by adding the following as subsection (b):

- (b)       That the revenue from the sale of LaSalle Park be used for City of Hamilton Waterfront Projects.

Recorded vote.

YEAS:       Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Eisenberger, Anderson, Ross. -8.

NAYS:       Aldermen Cooke, Kiss, Agro, Charters, Jackson, Merling. -6. **CARRIED.**



\* \* \* \* \*

**Section 23 Re: Sale of LaSalle Park**

Recorded vote on Section 23 as amended.

**YEAS:** Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Eisenberger, Anderson, Ross. -8.

**NAYS:** Aldermen Cooke, Kiss, Agro, Charters, Jackson, Merling. -6. **CARRIED.**

\* \* \* \* \*

**Section 35 (b) Re: Bill H-39: A By-law to Appoint a City Treasurer**

It was moved by Alderman Ross and seconded by Alderman Anderson that Rule No. 8 of Procedural By-law No. 82-203 be invoked for this meeting of City Council, in order to consider a resolution dealing with the introduction of a Bill to Appoint a City Treasurer.  
**CARRIED.**

\* \* \* \* \*

**Section 35 (b) Re: Bill H-39: A By-law to Appoint a City Treasurer**

It was moved by Alderman Ross and seconded by Alderman Anderson that the following Bill be added as Sub-section (b) of Section 35 of the Twelfth Report for 1992 of the Finance and Administration Committee:

(b) Bill H-39: A By-law to Appoint a City Treasurer. **CARRIED.**

\* \* \* \* \*



**Section 36 Re: Memorandum of Agreement between the Corporation of the City of Hamilton and C.U.P.E. Local 1041.**

It was moved by Alderman Ross and seconded by Alderman Charters that the Twelfth Report of the Finance and Administration Committee be amended by adding the following resolution as Section 36:

36. That the Memorandum of Agreement between the Corporation of the City of Hamilton and C.U.P.E. Local 1041 dated April 9, 1992 be approved and implemented in accordance with the terms therein." **CARRIED.**

\* \* \* \* \*

<b>RESOLUTIONS</b>
--------------------

**Re: Hamilton Hosting the 1992 Grey Cup Parade**

It was moved by Alderman Agostino and seconded by Alderman Jackson that Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council in order to consider a motion by Alderman Agostino respecting Hamilton hosting the 1992 Grey Cup Parade.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Jackson that Mayor Morrow be authorized to undertake to request through the C.F.L. that the City of Hamilton explore the possibility of hosting the 1992 Grey Cup Parade.

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills be now read a first time:

A-39, A-40, A-41, A-42, A-43

C-54, C-55

H-38, H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

\* \* \* \* \*



**Consideration of the Bills (second reading).**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-39, A-40, A-41, A-42, A-43

C-54, C-55

H-38, H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-39, A-40, A-41, A-42, A-43

C-54, C-55

H-38, H-39.



1992 May 12

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 8:35 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz  
City Clerk



## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1992 and respectfully recommends:

1. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be removed:

Route 7 Locke - Outbound

- delete - Locke Street South east side, 49 feet south of Tuckett Street (N/S)

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

2. (a) That in accordance with the request by the Hamilton Street Railway Company:
  - i. the following temporary bus route be approved:

Route 34 Upper Paradise

Inbound/Outbound - Upper Horning, Mohawk Road to Golflinks

- ii. the following temporary bus stops be approved:

- Outbound - Upper Horning Road, west side, 82 feet south of the south curb line of Mohawk Road (F/S); and
- Outbound - Upper Horning Road, west side, 48 feet north of the north curb line of Golflinks Road (F/S); and
- Outbound - Upper Horning Road, east side, 156 feet north of the centre of Golflinks Road (M/B); and



- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 3. (a) That northbound traffic on Osborne Street be required to stop for eastbound and westbound traffic on Walmer Road; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 4. (a) That eastbound traffic on Butler Drive be required to stop for northbound and southbound traffic on Acadia Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 5. (a) That the existing "No Stopping" regulation on the east side of Highridge Avenue which commences at Swan Street and extends to a point 59 feet northerly therefrom be shortened, such that the regulation commences at Swan Street and extends to a point 34 feet northerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 6. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Aberdeen Avenue commencing at a point 235 feet west of James Mountain Road and extending to Bay Street South; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 7. (a) That a "No Parking" regulation be implemented on the south and east sides of Leclaire Street commencing at a point 240 feet north of Lionsgate Avenue and extending to a point 157 feet west of Verdun Court; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 8. (a) That a "No Parking" regulation be implemented on the west side of Elgin Street commencing at a point 290 feet north of Barton Street and extending to a point 74 feet northerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.



9.
  - (a) That the existing residential boulevard parking agreement registered as Instrument No. 11146 to the property at No. 216 Gibson Avenue be discharged, at the property owner's expense; and
  - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
10.
  - (a) That the existing residential boulevard parking agreement between the City and Mrs. J. O'Sullivan, registered as Instrument No. 091279 to the property at No. 136 Mountain Park Avenue be discharged, at the property owner's expense; and
  - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
  - (c) That the City Treasurer be directed to revise the billing records accordingly.
11.
  - (a) That the existing residential boulevard parking agreement between the City and Mrs. Brenda Lockhart, registered as Instrument No. 495450 to the property at No. 9 Hope Avenue be discharged, at the property owner's expense; and
  - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
  - (c) That the City Treasurer be directed to revise the billing records accordingly.
12.
  - (a) That the existing "Permit Parking" regulation on the east side of John Street North commencing at a point 114 feet south of Burlington Street East and extending to a point 22 feet southerly therefrom be removed; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six applicants residing in the apartment building at No. 47 Duke Street.



14. That the School Crossing Guard, which was relocated on 1991 October 17, from Maplewood Avenue and Norway Avenue to Maplewood Avenue and Springer Avenue on a trial basis, be permanently assigned to Maplewood Avenue and Springer Avenue.
15. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", appended hereto, be approved during the pleasure of Council provided:
  - (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That the first year fee and subsequent annual fee outlined in Appendix "A", be set for these encroachments.
16. That the application of J. Beume, 100 Adelaide Street West, Toronto, Ontario M5H 1S3, previously approved by City Council on 1991 July 30 to permit the encroachment of planter boxes and landscaping measuring 1.2m x 5.2m and now amended to provide for an aluminum post measuring 50mm x 150mm, be approved during the pleasure of Council provided:
  - (a) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That the first year fee and subsequent annual fee be set for this encroachment.



17. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:
- i. "BLOSSOM ESTATES", Hamilton  
City's Share \$ 118,238.39                      Subdivider's Share \$ 152,242.32
  - ii. "RYMAL SQUARE ESTATES - PHASE 1", Hamilton  
City's Share - Nil                                      Subdivider's Share \$ 143,397.39
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the owners of "Blossom Estates" and "Rymal Square Estates - Phase 1".
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered.
- (d) That in the event the Subdividers wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into standard agreements for pre-servicing.
- (e) That the City's share of costs for services in "Blossom Estates" (\$ 118,238.39) be approved and that the Finance and Administration Committee recommend the source of funding for these projects.
- (f) That the City Solicitor be authorized and directed to prepare the necessary by-law (s) and any other documents required to establish Part 31, Registered Plan 62M-644 as part of Fano Drive road allowance. Said by-law is not to be registered until the Final Plan for Rymal Square Estates - Phase 1 is registered.
18. (a) That the additional funding in the amount of \$40,000. for the City's share of municipal services on Fieldway Drive, Millwood Place and a Public Walkway, Hamilton, be approved.
- (b) That the Finance and Administration Committee recommend the source of funding.



- 19.(a) That City Council delegate the authority to issue annual permits under Section 7(6)(a) of the City Traffic By-law No. 89-72, as amended, to the Commissioner of Transportation/Environmental Services and that where an application is proposed to be denied by the Commissioner, the application must first be considered by the Transport and Environment Committee; **AMENDED AND CARRIED.**

- (b) That the City Traffic By-law No. 89-72, as amended, be further amended to reflect the delegation of authority as set out in recommendation (a).

- (c) That the Commissioner of Transportation/Environmental Services be directed to bring for consideration of the Transport and Environment Committee, applications from companies that had not previously been granted an annual permit, prior to issuing a permit. **ADDED AND CARRIED.**

20. (a) That the following City lands be incorporated into the streets as follows:

Harbottle Court	Part 1	Plan 62R-11994
Sorrento Place	Block 88	Plan 62M-511

- (b) That the by-law to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.

- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

21. (a) That an Offer to Purchase for the sale by the Corporation of the City of Hamilton to the Regional Municipality of Hamilton-Wentworth, scheduled to close on or before 1992 June 19 and an Authority to Enter by the Regional Municipality of Hamilton-Wentworth on the land described as:

- i. Part of Lot 6, Registrar's Compiled Plan 1479, having a frontage of 17.974 metres (58.97 feet), more or less, along the western limit of Longwood Road, comprising an area of 123.3 square metres (1,327.23 square feet), more or less, more particularly described as Part 17 on Plan 62R-11411, municipally known as part of 879 Main Street West, Hamilton;



- ii. Part of Lot 6, Registrar's Compiled Plan 1479, having a frontage of 10.136 metres (33.255 feet), more or less, along the southern limit of Main Street West, comprising an area of 33.6 square metres (361.7 square feet), more or less, more particularly described as Part 16 on Plan 62R-11411, municipally known as part of 879 Main Street West, Hamilton;
- iii Part of Lot 6, Registrar's Compiled Plan 1479, having a frontage of 17.561 metres (57.615 feet), more or less, along the western limit of Longwood Road, comprising an area of 334.4 square metres (3,599.6 square feet), more or less, more particularly described as Parts 1 and 2 on Plan 62R-11779, municipally known as part of 877 Main Street West, Hamilton;
- iv Part of Lot 83, Registered Plan 703, having a frontage of 32.678 metres (107.41 feet), more or less, along the southern limit of Main Street West, and comprising an area of 58.6 square metres (630.4 square feet), more or less, more particularly described as Part 1 on Plan 62R-11466, municipally known as part of 88 Haddon Avenue South, Hamilton;

be approved and completed, and the funds derived from this sale of \$169,500. be credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchase).

- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
22. (a) That an Offer to Purchase executed by Sheila Avery on 1992 March 23 and scheduled for closing on or before 1992 July 6, for the purchase of a surplus parcel of land between 94 and 96 Salem Avenue, having a frontage along the westerly limit of Salem Avenue of 2.62 metres (8.595 feet), being triangular in shape, containing 31.3 square metres (336.92 square feet), shown as Part 2 on Plan 62R-7084, be approved and completed and the funds derived from this sale of \$501. be credited to Account No. CH59050 30001 (Outside Recoveries).
- (b) That, as required, a deposit cheque in the amount of \$50. is being held by the City Treasurer, pending approval of this transaction.



- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
23. (a) That Section 24 of the Twenty-Third Report of the Board of Control, approved by City Council on 1979 April 24, be amended to include the 13 properties to be conveyed to the Region for a nominal sum of \$1. for road widening purposes as outlined in Appendix "B" appended hereto. The lands conveyed will all form part of the Regional road system.
- (b) That the City Solicitor be authorized and directed to take the necessary action to finalize this transaction.
24. (a) That the City accept title to the land required for the extension of Acadia Drive from Reverend Alan and Florrie McGuirl, described as part of Lot 9, Concession 8, formerly in the geographic Township of Barton, now in the City of Hamilton, containing .162 acre (655.76 square metres) more or less, as outlined in Appendix "C" appended hereto, be approved and completed. Subject parcel forms part of the property known as 614 Stone Church Road East, and is scheduled to be conveyed to the City on or before 1992 May 29.
- (b) That the developer's solicitor prepares the necessary deed and certifies title to the City, the developer being Carriage Gate Homes.
25. (a) That the construction of the following projects proceed as Local Improvements pursuant to Section 12 of the Local Improvement Act:
- i. Upper Paradise Road east side from Stone Church Road to approximately 187m southerly and from approximately 86m south of Skyview Drive to approximately 83m southerly - independent concrete sidewalk at an estimated gross cost of twenty-seven thousand, seven hundred dollars (\$27,700.), City's share seven thousand, nine hundred and sixty-four dollars (\$7,964.), Owner's share nineteen thousand, seven hundred and thirty-six dollars (\$19,736.).



- ii. Upper Paradise Road west side from Stone Church Road to approximately 138m southerly - independent concrete sidewalk at an estimated gross cost of eleven thousand, four hundred dollars (\$11,400.), City's share three hundred and four dollars (\$304.), Owner's share eleven thousand and ninety-six dollars (\$11,096.).

All as provided for in the 1992 portion of the 1992 - 2001 Capital Budget; and,

- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
  - (b) That the Senior Director of Roads be authorized to construct these works on behalf of the City once all of the necessary approvals have been received; and,
  - (d) That the City Clerk and Acting Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
26. (a) That the following City lands be closed, stopped-up and retained as follows:
- |  |  |
|--|--|
| All of Simcoe Street<br>and to grant a sewer<br>easement over part of<br>Simcoe Street | west of west limit of Bay Street<br><br><br><br>Parts 3,7,8,10, Plan 62R-12134 |
|--|--|
- (b) That the by-law to carry out the closing, stopping-up and retention of the foregoing be enacted by City Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
27. (a) That a three-way stop control be implemented at the intersection of Tisdale Street and Erie Avenue.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.



28. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Philip Environmental Services Corp. receiving an amendment to their existing Certificate of Approval No. A1001145 for a Waste Disposal Site (Processing) located at 799 - 800 Parkdale Avenue North, Hamilton; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the Ministry of the Environment for their consideration in the preparation of the amendment to the Certificate of Approval regulating the operation of the facility proposed by Philip Environmental Services Corp.
29. That one of the two School Crossing Guards at the intersection of Quigley Road and Albright Road be relocated to Albright Road at Albright Court (private road).
30. (a) That a School Crossing Guard be hired on a temporary basis and assigned to the intersection of Glen Echo Drive and Nash Road during the morning and evening periods only; and
- (b) That the School Crossing Guard be removed if a traffic signal is installed at this location (investigations pending); and
- (c) That the School Crossing Guard at Mohawk Road East and Moxley Drive be removed.
31. That leave be granted to introduce the following Bills:
  - A-39 By-law to Incorporate Part 1, Plan 62R-11994 into Harbottle Court
  - A-40 By-law to Incorporate Block 88, Plan 62M-511 into Sorrento Place
  - A-41 By-law to Stop-up, Close and Retain the portion of Simcoe Street, West of the West Limit of Bay Street and to sell an easement in Parts 3, 7, 8 and 10 on Plan 62R-12134



1992 May 12

**A-42 By-law to Amend By-law No. 89-72 to Regulate Traffic**

**A-43 By-law to Amend By-law No. 89-72 to Regulate Traffic**

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRPERSON  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 May 4**



1992 May 12

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor / Agent</u>	<u>First Year / Annual</u>	<u>File Number</u>
116 Crosthwaite Ave. N.	A frame appendage measuring 1.2' x 6.95'	Joel B. Kerr Barrister and Solicitor Hamilton Ontario L8P 2Z6	\$112.00/20.00	T103-50(982)
19 South Street	Wood Steps measuring 1.55' x 1.2' Frame Garage measuring 0.63'x12.5'	W. Ian Gordon P.O. Box 930 Stn A Hamilton Ontario L8N 3P9	\$112.00/20.00	T103-50 (981)
50 Hyde Park Ave.	Wood Steps measuring 5.33' x 9.0'	Evans, Husband Barristers and Solicitors 20 Hughson Street South Hamilton Ontario L8N 2A1	\$112.00/20.00	T103-50 (949)



1992 May 12

Appendix "B" as referred to in  
Section 23 of the SIXTH Report  
of the Transport and Environment  
Committee for 1992

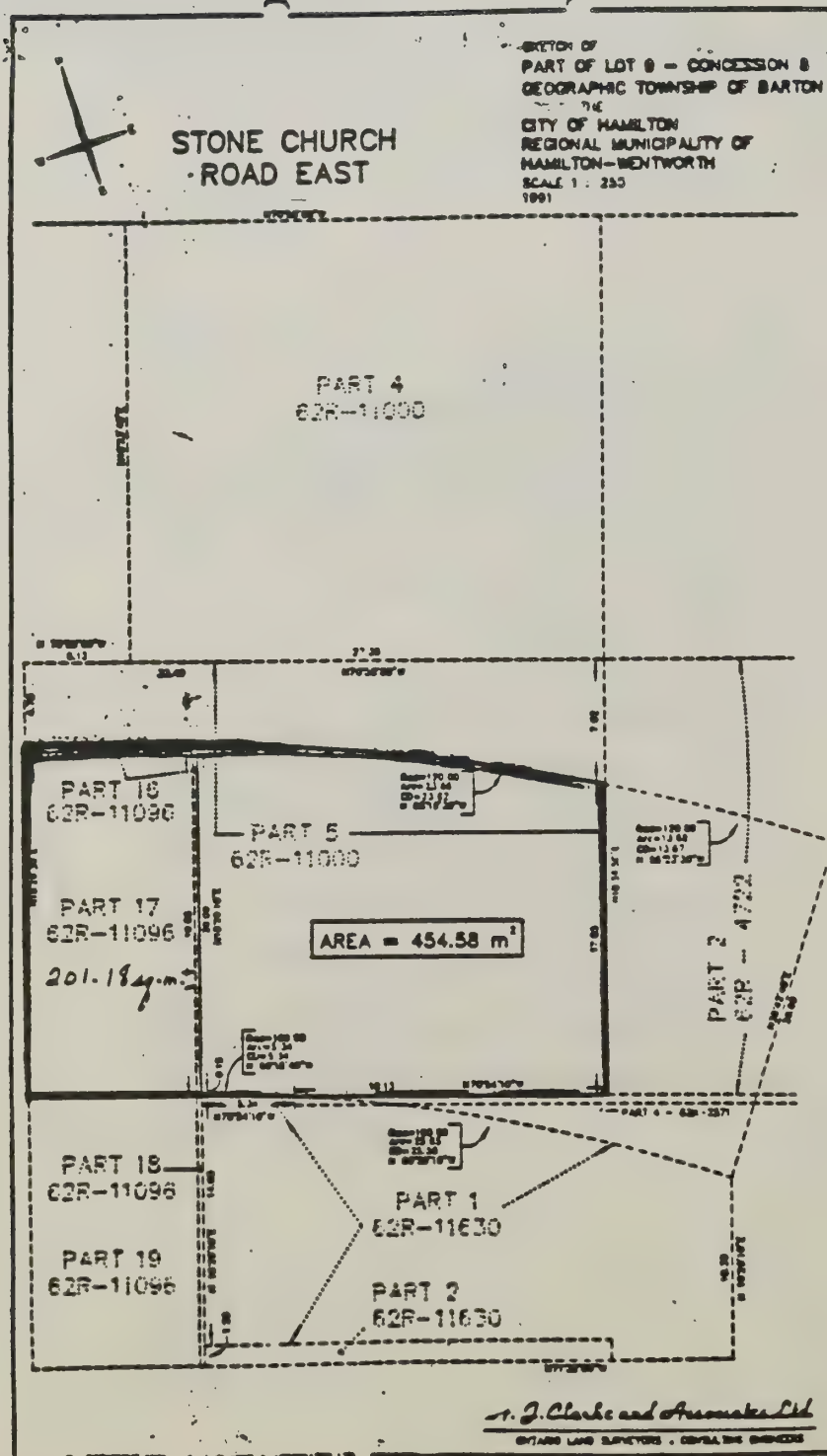
The locations of the lands are as follows:

- Parcel 1 - King Street East west of Mayhurst Avenue
- Parcel 2 - Cannon Street between Wellington and West Avenue
- Parcel 3 - Upper Sherman Avenue north of Stone Church
- Parcel 4 - Rymal Road East
- Parcel 5 - Mohawk Road east of Upper Kenilworth
- Parcel 6 - Upper Paradise Road
- Parcel 7 - Upper Paradise Road
- Parcel 8 - Burlington Street east of Kenilworth
- Parcel 9 - Upper Wellington north of Limeridge
- Parcel 10 - King Street west of Parkdale
- Parcel 11 - Upper Wentworth south of Stone Church
- Parcel 12 - Stone Church Road East west of Quinn Avenue
- Parcel 13 - Stone Church Road East west of Quinn Avenue
- Parcel 14 - North\West corner Main and Kenilworth
- Parcel 15 - South\West corner of Stone Church and Upper Wentworth
- Approved by City Council in 1979 but never conveyed.



1992 May 12

Appendix "C" as referred to in  
Section 24 of the SIXTH Report  
of the Transport and Environment  
Committee for 1992





## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1992 and respectfully recommends:

1. That permission be granted to the Hamilton Ladies Slo-Pitch Association to sell alcoholic beverages during the occasion of their Opening Day Baseball Game, scheduled at Globe Park on 1992 May 31 under the terms and conditions which includes the following:
  - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
  - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, Ross. -12.

NAYS: Alderman Jackson. -1.

**CARRIED.**



2. That approval be given to the Greenhill Co-operative Corporation to hold a fireworks display on City property located at Quigley Road and Greenhill Avenue on Monday, 1992 May 18, raindate 1992 May 24, subject to the following terms and conditions:
  - (a) That a licensed operator be responsible for carrying out the fireworks display.
  - (b) That Greenhill Co-operative Corporation has in place a \$2 million Insurance Policy for Public Liability for Property Damage and Bodily Injury, naming the City as co-insured.
3. That approval be given to North Central Baseball League to hold a fireworks display on City property located at Mars Avenue and Wentworth Street on Monday, 1992 May 18, in conjunction with their season's opening baseball game, which includes a park dance and barbecue, subject to the following terms and conditions:

That North Central Baseball League has in place a \$2 million Insurance Policy for Public Liability for Property Damage and Bodily Injury, naming the City as co-insured.
4. That a purchase order be issued to O. Ciccarelli & Sons Contracting, Ancaster in the amount of \$82,970. plus applicable taxes for grass cutting and trimming at Eastlawn and Mount Hamilton cemeteries during 1992, 1993 and 1994, being the lowest acceptable of six tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Grass Cutting Account No. CH56344 63155.
5. That a purchase order be issued to Greenspace Services Ltd. o/a Chemlawn, Burlington, in the amount of \$178,260. plus applicable taxes, being the lowest of five tenders received, for grass spraying at various locations during 1992, 1993 and 1994, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through various approved accounts.
6.
  - (a) That James Strecker be approved as the 1992 Recipient of the Hamilton Arts Award.
  - (b) That the Annual Hamilton Arts Award grant in the amount of \$500. be awarded to Mr. Strecker at the Proclamation Day ceremonies for Arts Awareness Month, Friday, 1992 May 22nd. Funds provided for in Account No. CH5A100 20020, Hamilton Arts Award.



7.
  - (a) That approval be given to enter into a contract with F.J. Reinders and Associates Canada Ltd., Brampton, Ontario, in the amount of \$113,420. including all taxes, to provide consulting services for the design and contract administration of Shoreline Protection for Pier-4 Park and Harbourfront Park.
  - (b) That the amount of \$45,983.25 be funded from Account No. CF5010 419054007 for Pier-4 Park and the amount of \$67,436.75 be funded from Account No. CF5200 419254001 for Harbourfront Park.
  - (c) That a contract satisfactory to the City Solicitor be entered into between the City and the Consultant, F.J. Reinders and Associates Canada Ltd., of Brampton.
  - (c) That the Mayor and the City Clerk execute the Contract on behalf of the City.
8.
  - (a) That a purchase order be issued to Philip Enterprises Inc. Hamilton, in the amount of \$4,310,865.69 including all taxes for the removal and disposal of hazardous soils from the Harbourfront Park, being the lowest of eleven tenders received, in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender.
  - (b) That the total cost of \$4,310,865.69 be funded from Account No. CF5200 419254001, Harbourfront Park Remediation.
  - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Philip Enterprises Inc. Hamilton.
  - (d) That the Mayor and the City Clerk execute the contract on behalf of the City.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger Charters, Jackson, Anderson, Ross. -13.

NAYS: Alderman Merling. -1.

**CARRIED.**



9.
  - (a) That approval be given to enter into a contract with Taylor/Hazell Architects, 277 Front Street East, Suite 400, Toronto, Ontario as the Prime Consultant for the Dundurn Restoration. The contract amount will be \$63,765.25.
  - (b) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant Taylor/Hazell Architects.
  - (c) That the Mayor and the City Clerk execute the contract on behalf of the City.
10.
  - (a) That approval be given to enter into a contract with Taylor/Hazell Architects, 277 Front Street East, Suite 400, Toronto, Ontario as the Prime Consultant for the Whitehern Restoration. The contract amount will be \$37,017.50.
  - (b) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant Taylor/Hazell Architects.
  - (c) That the Mayor and the City Clerk execute the contract on behalf of the City.
11. That the Cari-Can Festival organizers be granted permission to sell food and alcoholic beverages on the occasion of the Cari-Can Festival, 1992 August 21 to August 23 in Eastwood Park/Arena, subject to the following terms and conditions:
  - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured.
  - (b) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up etc.) in the park.
  - (c) That alcoholic beverages be served in the confined area of the Arena/restricted area.
  - (d) That the applicant adhere to all regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (f) That all activities be monitored by Special Events Advisory Team.



1992 May 12

12. (a) That the Tariff of Charges for City-owned cemeteries as outlined in Appendix "A" appended hereto, be approved and implemented on 1992 April 20.  
(b) That the City Solicitor be authorized and directed to prepare a by-law to amend Cemetery By-law No. 8861 so as to provide for the increase in the Tariff of Charges.
13. That the Region of Hamilton-Wentworth's Health and Social Services Committee be requested to pay the approved 1992 Tariff of Charges for City-owned cemeteries to offset the approximate \$12,000. in costs that the City of Hamilton's Cemetery Division will incur for the burials and the costs of crypts throughout 1992.

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 May 5**



1992 May 12

Appendix "A" as referred to in  
Section 12 of the NINTH Report  
of the Parks and Recreation  
Committee for 1992

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

APRIL 20, 1992

(Cemeteries By-Law No. 8861)

		Resident and Non-Resident Realty Taxpayers		Non-Residents	
<u>GRAVES AND LOTS</u>		<u>G.S.T.</u>	<u>TOTAL</u>	<u>G.S.T.</u>	<u>TOTAL</u>
Adult Single In A Row Grave.....	417.00	29.19	446.19	515.00	551.05
(Graves cannot be selected or purchased in advance but are opened in sequence)					
Adult Single Grave.....	697.00	48.79	745.79	862.00	922.34
(Where grave may be selected and purchased in advance of need)					
Child Single In A Row Grave					
Case up to 60".....	100.00	7.00	107.00	130.00	139.10
Case 61" to 72".....	148.00	10.36	158.36	193.00	206.51
Baby Special Grave.....	44.00	3.08	47.08	46.00	49.22
(Multiple burials - up to one month old)					
Urn Garden Grave.....	232.00	16.24	248.24	282.00	301.74
Columbarium.....	859.00	60.13	919.13		
Veteran's Grave.....	396.00	27.72	423.72		
Two-Grave Lot.....	1,599.00	111.93	1,710.93	1,993.00	2,132.51
Two-Grave Lot - Eastlawn Section 15, 16	1,305.00	91.35	1,396.35	1,630.00	1,744.10
(6' burials only)					
Three-Grave Lot - Woodland.....	2,388.00	167.16	2,555.16	2,987.00	3,196.09
Four-Grave Lot - Woodland Section 21, 25					
- Eastlawn Section 19..	3,130.00	219.10	3,349.10	3,980.00	4,258.60
Four-Grave Lot - Woodland Section 15..	5,782.00	404.74	6,186.74	7,223.00	7,728.61
Four-Grave Lot - Trinity.....	2,941.00	205.87	3,146.87	3,733.00	3,994.31
Mansion of Memories - Mausoleum Crypt..	1,114.00	77.98	1,191.98	1,224.00	1,309.68

NOTE: 40% of all Grave and Lot Sales goes into Perpetual Care



1992 May 12

**HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES**

APRIL 20, 1992

	Resident and Non-Resident Realty Taxpayers			Non-Residents		
	G.S.T.	TOTAL		G.S.T.	TOTAL	
<b>OPENING AND CLOSING</b>						
6 ft. Adult.....	423.00	29.61	452.61	490.00	34.30	524.30
8 ft. Adult.....	570.00	39.90	609.90	634.00	44.38	678.38
6 ft. Child - case up to 42".....	256.00	17.92	273.92	376.00	26.32	402.32
- case 43" - 60".....	291.00	20.37	311.37	412.00	28.84	440.84
- case 61" - 72".....	322.00	22.54	344.54	465.00	32.55	497.55
8 ft. Child - case up to 60".....	322.00	22.54	344.54	465.00	32.55	497.55
- case 61" - 72".....	358.00	25.06	383.06	515.00	36.05	551.05
Baby Special - Multiple burials - Up to one month old..	57.00	3.99	60.99	86.00	6.02	92.02
Cremation.....	137.00	9.59	146.59	196.00	13.72	209.72
Columbarium.....	90.00	6.30	96.30			
Mansion of Memories - Stoney Creek- New Crypts only...	349.00	24.43	373.43	409.00	28.63	437.63
<b>LOWERING (Opening Charges not included)</b>						
<b>Adult</b>						
From 6 ft. to 8 ft. - Shell.....	282.00	19.74	301.74	428.00	29.96	457.96
From 6 ft. to 8 ft. - Steel Vault...	551.00	38.57	589.57	824.00	57.68	881.68
From 6 ft. to 8 ft. - Concrete Vault	637.00	45.99	702.99	988.00	69.16	1,057.16
<b>Child</b>						
From 6 ft. to 8 ft. - 5 to 10 years.	196.00	13.72	209.72	291.00	20.37	311.37
From 6 ft. to 8 ft. - under 5 years.	94.00	6.58	100.58	138.00	9.66	147.66
<b>REMOVALS</b>						
Adult - Shell.....	1,488.00	104.16	1,592.16	2,290.00	160.30	2,450.30
- Concrete Vault or Crypt.....	1,214.00	84.98	1,298.98	1,817.00	127.19	1,944.19
Child - Shell	353.00	24.71	377.71	550.00	38.50	588.50
- Concrete Vault or Crypt.....	378.00	26.46	404.46	560.00	39.20	599.20
Cremation.....	137.00	9.59	146.59	196.00	13.72	209.72
<b>ADDITIONAL SERVICES</b>						
				G.S.T.	TOTAL	
<b>CRYPTS</b>						
Child.....				272.00	19.04	291.04
Youth.....				285.00	19.95	304.95
Standard.....				297.00	20.79	317.79
Intermediate.....				305.00	21.35	326.35
Overseas.....				324.00	22.68	346.68
<b>PLANTING</b>						
Preparing ground and planting flowers -per grave....				40.00	2.80	42.80
Preparing ground and planting one shrub.....				51.00	3.57	54.57
(Flowers and shrubs are to be provided by the family at their expense)						
<b>MISC.</b>						
Tent in cemetery.....				126.00	8.82	134.82
Rental of tent outside cemetery.....				172.00	12.04	184.04
Rental of dressing to use outside cemetery.....				137.00	9.59	146.59
Rental of lowering device outside cemetery.....				137.00	9.59	146.59
Transfer Fee \$2.00 + Research \$44.00.....				26.00	1.82	27.82
Inscription Fee on Columbarium Niche.....				240.00	16.80	256.80



HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

APRIL 20, 1992

	Resident and Non-Resident Realty Taxpayers		Non-Residents	
	G.S.T.	TOTAL	G.S.T.	TOTAL
<u>FOUNDATIONS AND MARKERS</u>				
* <u>Foundation</u> - pouring per square inch of surface area (to be poured 6 ft. deep) .....	.94	+7%	1.41	+7%
* <u>Marker Setting Fee</u>	114.00	7.98	121.98	177.00
(maximum size 24" long x 18" wide) (thickness 8" maximum - 4" minimum)				
<u>Social Service Marker</u> .....	114.00	7.98	121.98	154.00
<u>Bronze Vase</u> .....	114.00	7.98	121.98	177.00
<u>D.V.A. Upright</u> .....	96.00	6.72	102.72	
<u>D.V.A. Flat</u> .....	96.00	6.72	102.72	

Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

Singles Graves in a Row

A flat granite marker, maximum length 24" and width 18" is permitted.

Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total overall height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

\*NOTE: As of July 1, 1992, there will be an additional charge which will be for the Care and Maintenance Fund for markers and upright monuments as follows:

- (a) Any flat marker under 173 square inches - no charge
  - (b) Any flat marker over 173 square inches - \$50.00
  - (c) Any upright monument 4 ft. or under in length and height - \$100.00
  - (d) Any upright monument over 4 ft. in either length or height - \$200.00
- Upright height includes the base.



1992 May 12

## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1992 and respectfully recommends:

1. That subject to the pre-tender estimate being within the budget, the staff be authorized to call for tenders for the construction of Huntington Park Recreation Centre, Renovations and Addition.

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

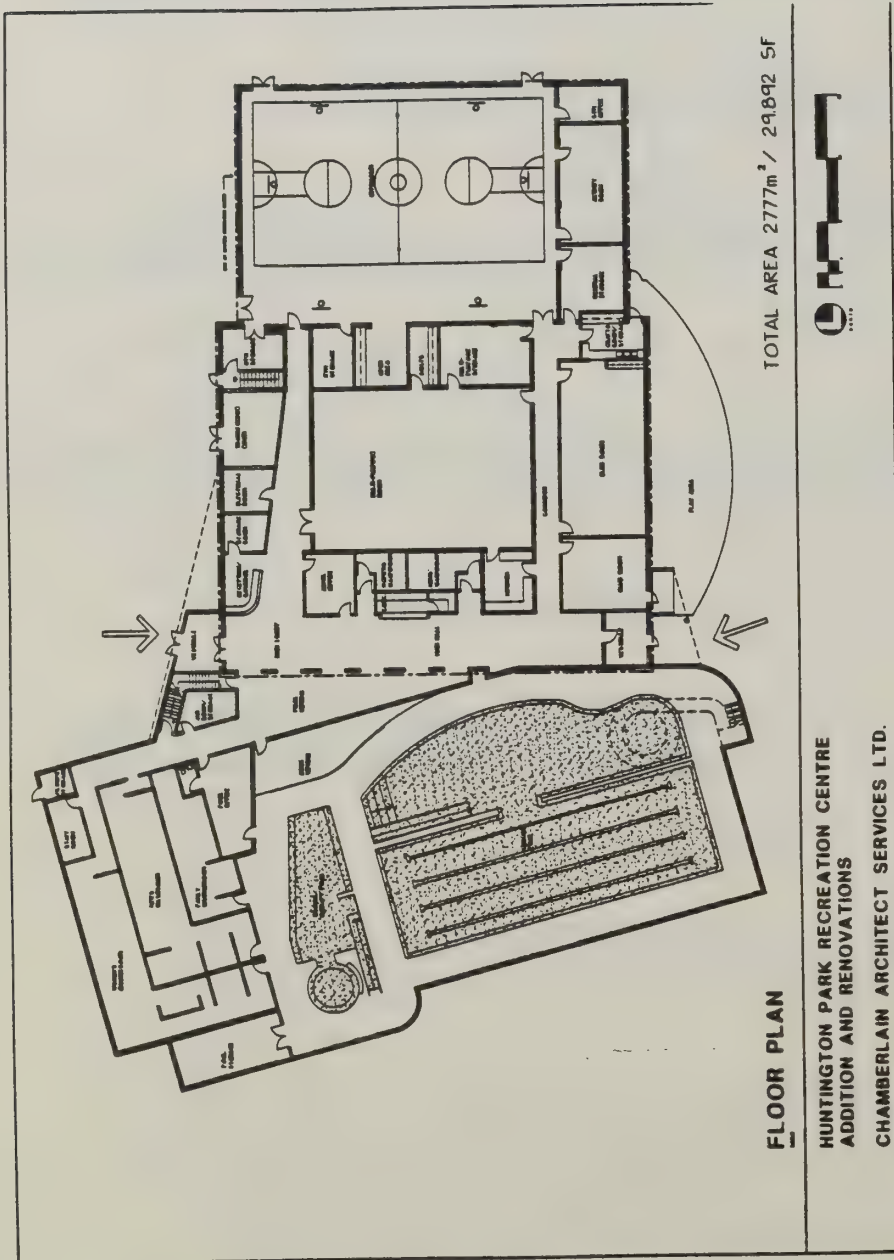
**Kevin C. Christenson  
Secretary**

**1992 May 12**



1992 May 12

Appendix "A" as referred to in  
Section 1 of the TENTH Report  
of the Parks and Recreation  
Committee for 1992



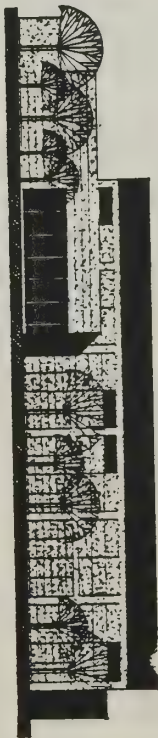


1992 May 12

EAST ELEVATION




NORTH ELEVATION

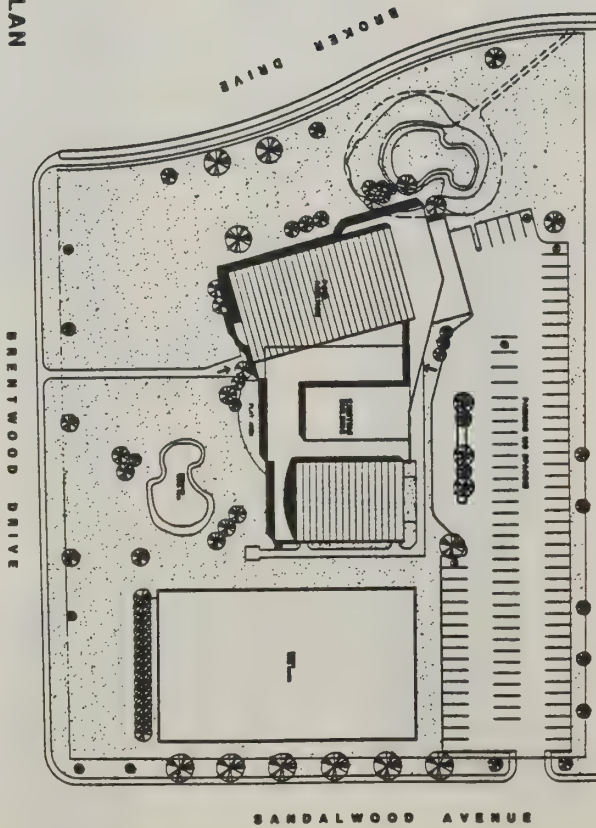


HUNTINGTON PARK RECREATION CENTRE  
ADDITION AND RENOVATIONS  
CHAMBERLAIN ARCHITECT SERVICES LTD.





**SITE PLAN**  
  
**HUNTINGTON PARK RECREATION CENTRE  
ADDITION AND RENOVATIONS  
CHAMBERLAIN ARCHITECT SERVICES LTD.**





## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1992 and respectfully recommends:

1.      (a) That City Council give approval to designate by by-law, the St. Clair Boulevard Heritage Conservation District as outlined on the map attached hereto and marked as Appendix "A", under Part V of the Ontario Heritage Act, 1983.  
  
          (b) That the City Solicitor be authorized and directed to take appropriate action to have this District designated pursuant to the provisions of the Ontario Heritage Act, 1983.  
  
          (c) That City Council adopt by resolution the St. Clair Boulevard Heritage Conservation District Plan. (Previously distributed to all members of City Council)
2.      That the City Clerk be authorized and directed to notify the Administrator of Licences for the Regional Municipality of Hamilton-Wentworth, that the City of Hamilton's Building Inspectors and the Chief Building Official as appointed by By-law 92-094, and any amendments thereto, be appointed as Trade Licence Inspectors.
3.      That the Building Commissioner be authorized to issue a demolition permit for 1437 Barton Street East, subject to owner submitting proof that the title of the lands located at 1437 and 1441 Barton Street East have merged.
4.      That a Commercial Facade Loan in the amount of fifteen thousand dollars (\$15,000.) be approved for 914914 Ontario Inc., Howard's Flower Shop c/o Gerald Carey, 84 1/2 Ottawa Street North, Hamilton at 4 1/8 percent interest amortized over 10 years.



5.
  - (a) That the Planning and Development Committee recommend to City Council that the comments contained in the report "City of Hamilton Comments on Vision 2020 - The Draft Vision Statement of the Regional Chairman's Task Force on Sustainable Development", attached hereto as Appendix "B", be endorsed; and,
  - (b) That the City Clerk be directed to advise the Regional Chairman's Task Force on Sustainable Development of City Council's endorsement.
6. That approval be given to Zoning Application 91-63, Robert Shelly Construction Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District to permit the development of the subject lands for small lot single family dwellings for property located north of Rockview Avenue, west of the proposed extension of Crerar Drive, as shown on the attached map marked as Appendix "C", on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-18B for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
7. That approval be given to amended Zoning Application 92-01, 603815 Ontario Inc. (Dave Armstrong), owner, for a further modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit the temporary use of lands and the existing building for the sale of new and used cars for a further three year period, for property located at 1492 Upper James Street, as shown on the attached map marked as Appendix "D" on the following basis:
  - (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, as amended by By-law No. 90- 227 applicable to the subject lands, be further modified in accordance with Section 38 of the Planning Act, R.S.O. 1983, to permit the temporary use of the lands and the existing building(s) only, for the sale of new and used automobiles for a further maximum period of three years;



- (b) That notwithstanding Section 9.(1) of By-law No. 6593, one pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of By-law No. 6593;
- (c) That notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a minimum 3.0 m wide landscaped planting strip shall be provided and maintained only along the northerly lot line;
- (d) That notwithstanding Section 18(3)(ivc)(c) of Zoning By-law No. 6593, no visual barrier shall be required;
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-939b, and that the subject lands on Zoning District Map W-9D be notated S-939b;
- (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D for presentation to City Council;
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

8. The approval be given to Zoning Application 92-05, James and Felicia Capuccinello Iraci, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the creation of a single-family dwelling lot, for property located at 50 Christopher Drive, as shown on the attached map marked as Appendix "E" on the following basis:

- (a) The subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



9. That approval be given to Zoning Application 92-04, 800064 Ontario Inc. (A. DiSilvestro), owner, requesting the removal of the "H" (Holding) symbol provision under Section 35(1) of the Planning Act, to permit the development of the subject lands for single-family dwellings (Blocks "1", "2", & "3"), small lot single-family dwellings (Block "4") and townhouse dwellings (Block "5"), and the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law 90-311, and Zoning District Map E-27D for presentation to City Council for the property located at 480 Rymal Road West, shown as Blocks "1", "2", "3", "4" & "5" on the attached map marked as Appendix "F".
10. That pursuant to the decision of the Planning and Development Committee at its meeting of 1992 April 8:
  - (a) That approval be given to application 25T-90018, Carriage Gate Homes Ltd., owner, to establish a draft plan of subdivision in the area west of Upper Sherman Avenue and south of Stone Church Road East, subject to the following conditions:
    - (i) That approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated March 27, 1990, revised by adjusting the lot lines to eliminate Block 23 and other minor lotting changes, now showing 22 lots and a block for 0.3 m reserve.
    - (ii) That the final plan not be approved until such as municipal sewers and water and road access are available to service the lands.
    - (iii) That the street be dedicated to the City of Hamilton as public highway on the final plan.
    - (iv) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
    - (v) That the final plan conform to the Zoning By-law approved under the Planning Act.
    - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.



- (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the total area of the subdivision in the final plan.
  - (viii) That the owner make cash payment in lieu of the conveyance of 5% of the land included in the final plan to the City of Hamilton for park purposes.
  - (ix) That the dead-end of the road allowance created by the plan be terminated in an 0.3m reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
  - (x) That the owner erect a sign in accordance with Section XI of the subsequent subdivision agreement prior to the issuance of a final release by the City of Hamilton.
  - (xi) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-90018), Carriage Gate Homes Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the neighbourhood plan road pattern be changed accordingly.
11. That leave be granted to introduce the following Bills:
- (a) Bill C-54 A By-law to adopt Official Plan Amendment No. 110 respecting lands located on the west side of Bow Valley Drive and south of Highridge Avenue within the Riverdale East Neighbourhood



1992 May 12

- (b) Bill C-55 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 86-179

Respectfully submitted,

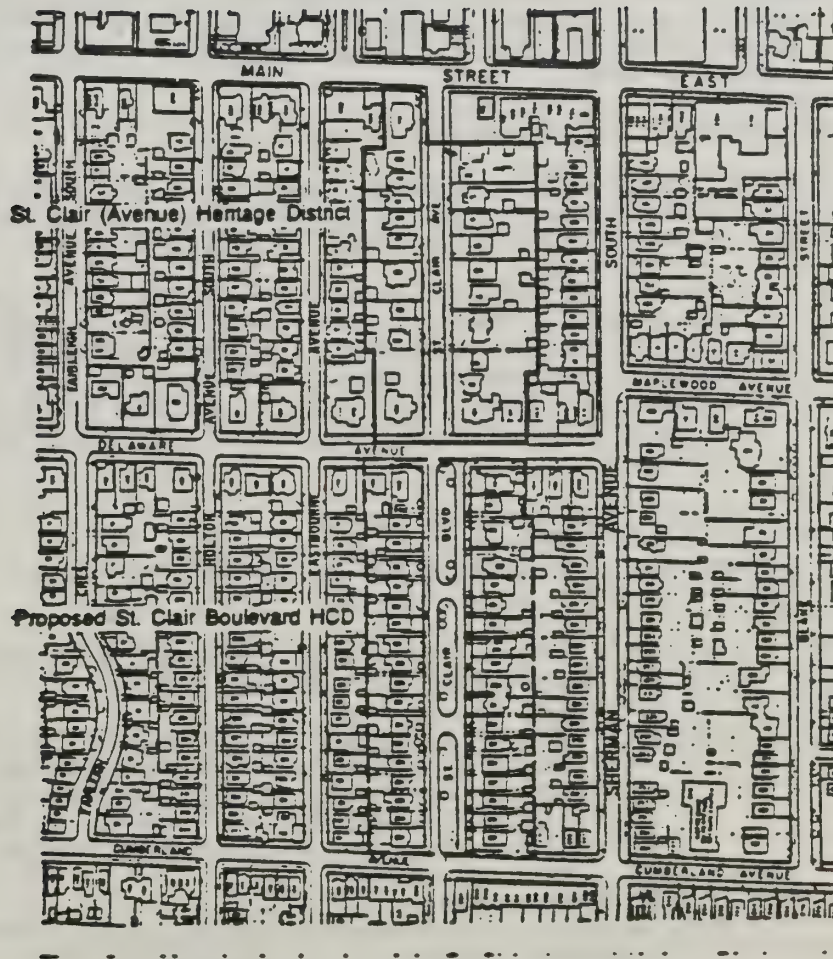
ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello  
Secretary  
1992 May 6



1992 May 12

Appendix "A" referred to  
in Section 1 of the Ninth  
Report of the Planning and  
Development Committee for 1992



Map showing the proposed St. Clair Boulevard Heritage Conservation District, directly south of the existing St. Clair (Avenue) Heritage District.



1992 May 12

Appendix "B" referred to  
in Section 5(a) of the Ninth  
Report of the Planning and  
Development Committee for 1992

COMMENTS ON VISION 2020: THE DRAFT VISION STATEMENT OF THE  
REGIONAL CHAIRMAN'S TASK FORCE ON SUSTAINABLE DEVELOPMENT

The members of the Task Force and the members of the working groups are to be congratulated for the work they have accomplished and the consensus reached on a broad range of difficult Regional issues. The Vision Statement contains broad principles regarding sustainable development and, in very general terms, these principles can be supported. However, the following comments of the City of Hamilton are noted which could be used to strengthen the Vision:

- Sustainable Development Defined

The Task Force defines sustainable development as follows: "Sustainable development requires the integration of economic, environmental and social factors in both private and public decision making to ensure a viable future for us all."

While the definition is broad, the inclusion of the phrase "private decision making" is problematic in that private decisions are made at many levels ranging from individuals to large corporations. It is unclear as to the context for including "private decision making" in the definition. In addition, the Task Force may wish to recognize that the Region cannot mandate private decision making. Further, it must be recognized that all levels of Government need to work together with private interests to achieve solutions.

- Principles of Sustainable Development

The Vision Statement contains the following four principles on sustainable development:

- "1. the fulfilment of human needs for peace, clean air and water, food, shelter, education, and useful and satisfying employment;"

Comment: While all persons would support and desire "useful and satisfying employment", this is a subjective description based on individual interpretation. Useful and satisfying employment is not within the realm or control of Regional government. However, the Region can work to develop opportunities for productive employment for Hamilton-Wentworth's citizens.

- "2. the maintenance of ecological integrity through careful management, rehabilitation, reduction in wastes and protection of diverse and important natural species and systems;"

Comment: This principle can be supported.



- "3. provision for self-determination through public involvement in the definition and development of local solutions to environmental and development problems; and,"

Comment: The City of Hamilton supports broad-based community decision-making in all areas of municipal responsibility. However, the term "development" is unclear and should be defined.

- "4. achievement of equity with the fairest possible sharing of limited resources among contemporaries and between our generation and our descendants."

Comment: The idea of equitable distribution of resources and equitable access to resources is certainly a laudable goal; however, it is implied there are inequities at present. This principle of equity requires further explanation.

#### The Vision

The Vision Statement is separated into the following categories: Overview; The Landscape; Our Communities; Getting Around; Quality of Life; and Livelihood. Each is summarized below and, where applicable, comments are provided.

##### a) Overview

The overview, in part, states: "In the year 2020, Hamilton-Wentworth is home to approximately 1/2 million people, living in a region made up of compact urban core areas, surrounded by a rural landscape that includes productive farms, hamlets, and a continuous network of natural areas." While this is a supportable objective, there is no recognition of the existing built urban form in Hamilton-Wentworth nor is there a link established between the present built urban form and the Vision outlined in this statement. The role of the Central Area of the City of Hamilton should also be strengthened and recognized. The Task Force must recognize the present built urban form will to a very large extent constitute the built urban form in future years.

##### b) The Landscape

Within this section, there are inferences made to existing problems which may in fact not exist. For example, the Vision states that "Citizens abide by environmental laws and regulations ...". Implicit within this statement is the idea that citizens currently do not abide by environmental laws and regulations. The Task Force may wish to re-examine the style in which the document is written to clarify the intent of statements such as this.



Reference is made in this section to the evaluation of private initiatives. It should be noted that, within the realm of Regional government, the opportunities to directly review and evaluate private initiatives is limited. The Task Force may wish to clarify the intent of this term.

c) Our Communities

The Vision presented within this section is one of mixed land use with opportunities for employment and residence in close geographical proximity. While this is an idealized community, it should be recognized that not all persons choose to live in such a community. There will continue to be a significant number of families and individuals who prefer a more suburban style of community and opportunities for all preferences should be recognized within the Vision.

d) Getting Around

The central theme of this section of the Vision is a move away from the automobile as the central means of transportation. Also emphasized is the use of public transit, bicycles, and walking as the predominant means of transportation. Given the persistent decrease in public transit ridership and that our region has been developed around the auto, this Vision may be difficult to achieve. In this event, the challenge could be viewed as how to incorporate the use of the automobile into our communities' designs without allowing the automobile to dominate our physical community.

e) Quality of Life

Within this section, the Vision Statement addresses those needs which should be fulfilled within our community. These include: shelter, income, food, and education. Our community should also be integrated, safe, and non-violent. These are general principles which are important goal statements for our community to strive towards.

There are two specific concerns with particular statements which the Task Force may wish to re-examine. First, the statement "disease and disability are being progressively reduced." It should be recognized that eliminating disabilities is something that may in fact never happen. Another important goal is to strive for the full integration of persons that are physically and mentally challenged into our communities in every manner.



The second concern is with the statement "our cultural institutions and groups advocate values consistent with environmental sustainability. Educational institutions instill sustainable values and citizens pursue sustainable lifestyles." Values are extremely personal based on the individual's beliefs and moral code. Therefore, a more concrete goal to address is supporting the principles of sustainable development and achieving the incorporation of these principles into our community's consciousness and expectations through our educational institutions.

f) **Livelihood**

This section of the Vision addresses the economic base of our community. Several issues are addressed including sustainable economic growth and the agricultural sector. What is not included, however, is the idea of the Region working with the industrial, commercial, and agricultural sectors of Hamilton-Wentworth to achieve sustainable economic growth. Also, the Task Force may wish to include within this section a Vision on long-term job creation to facilitate other aspects of the Vision (such as Quality of Life) for the citizens of Hamilton-Wentworth.

In addition, the Task Force must recognize that Hamilton-Wentworth is not immune to the changes occurring the global marketplace. Increasingly, all goods and services are being costed on an international basis; therefore, the future economic success of the community depends on identifying and building upon Hamilton-Wentworth's comparative advantage in Canadian and world marketplaces.



**Appendix "C" referred to  
in Section 6 of the Ninth  
Report of the Planning and  
Development Committee for 1992**



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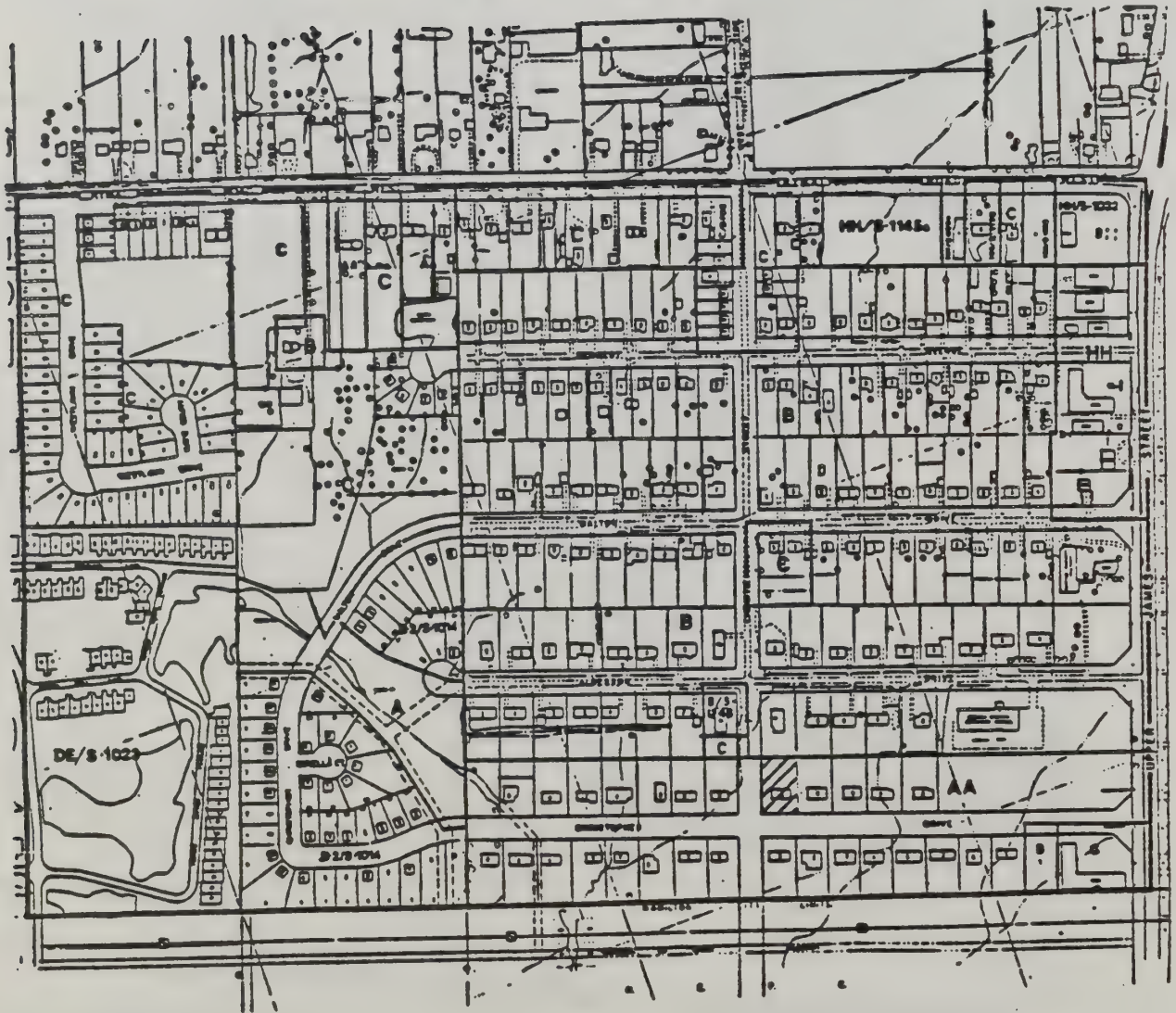
### Site of the Application





1992 May 12

Appendix "E" referred to  
in Section 8 of the Ninth  
Report of the Planning and  
Development Committee for 1992



**Legend**



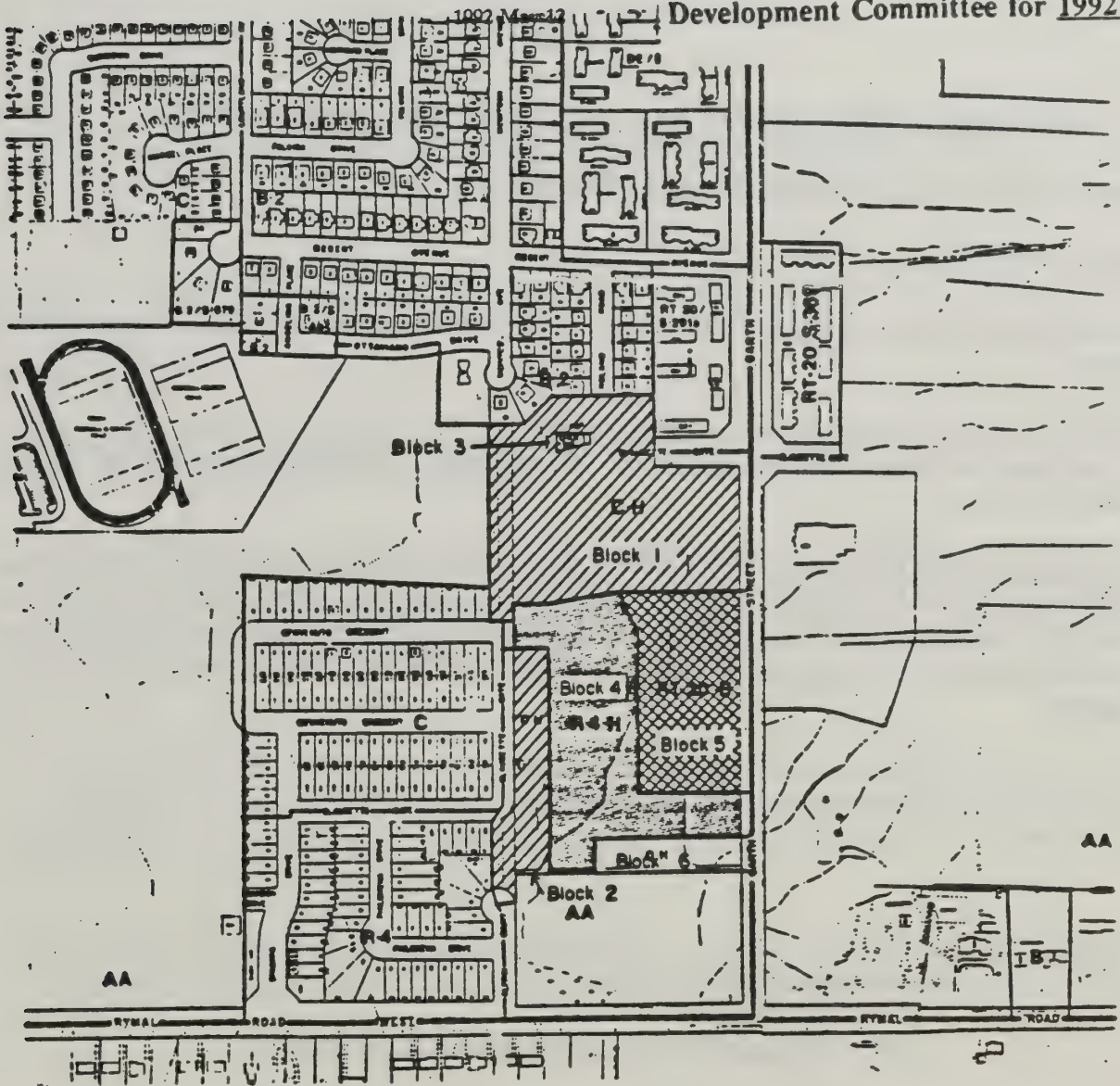
Site of the Application



ZA-92-05








Appendix "F" referred to  
in Section 9 of the Ninth  
Report of the Planning and  
Development Committee for 1992



**Legend**

Removal of the "H" Holding Provision from the:

BLOCKS 1 & 2		"C" (Urban Protected Residential, etc.) District.
BLOCK 3		"C" (Urban Protected Residential, etc.) District, modified.
BLOCK 4		"R-4" (Small Lot Single-Family Residential) District.
BLOCK 5		"RT-20" (Townhouse-Maisonette) District.
"H" Holding Provision to Remain For:		
BLOCK 6		"C" - "H" (Urban Protected Residential, etc. - Holding) District.

2A-92-04



1992 May 12

## **REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FOURTH Report for 1992** and respectfully recommends:

1. That the Cab Driver Licence of Robert Vacola, Room 404, 79 James Street South, Hamilton, be immediately suspended on the grounds of his recent conviction for assault with a weapon.

At its meeting of 1992 May 11 the Licensing Committee was made aware that Mr. Vacola had recently been convicted of assault with a weapon upon the passenger of another taxicab. As a result of this conviction, the Licensing Committee made the foregoing recommendation and agreed to hold a Show Cause Hearing as soon as possible in this matter.

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE**  
**CHAIRPERSON**  
**CITY OF HAMILTON LICENSING COMMITTEE**

Stella Glover  
Secretary

1992 May 11



## **REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its **FIRST** Report for 1992 and respectfully recommends:

- 1) That the Hamilton-Scourge Project, Jason Underwater Archaeological Report prepared by Dr. Margaret Rule, C.B.E.F.S.A., copies of which have been previously submitted to all members of City Council, be approved and the recommendations accepted for action by the Director of Culture and Recreation.
- 2) That the Director of Culture and Recreation be authorized and directed to initiate the application process with the Ministry of Culture and Communications Officials to request approval for a licence for a Hamilton-Scourge discovery and articles recovery dive.
- 3) That the Director of Culture and Recreation be authorized and directed to investigate the viability of Canadian Centre for Inland Waters undertaking the proposed second quarter dive.
- 4) That \$5,000.00 be set aside from the 1992 operating funds of the Hamilton-Scourge Project for a long range fundraising plan to include:
  - a) research/training,
  - b) organizational/writing
  - c) and that the Fundraising Plan be submitted by 1 November 1992.
- 5) That the Hamilton-Scourge Project's Ship's Boat Replica be authorized to participate in Niagara-On-The-Lake Bi-Centennial Ceremonies - July 1st weekend and that Captain G. Bibby and crew be requested to participate on behalf of the City of Hamilton.



1992 May 12

- 6) That the Hamilton-Scourge Project Conservator's British Council Conservation Exchange report, copies of which have been previously submitted to all members of City Council, be approved in order to complete post grant request.
- 7) That the Replica Mast be reinstalled at the Hamilton-Scourge Memorial Site in Confederation Park at a cost not to exceed \$2,700.00 (includes \$700.00 for winterizing of parts of the mast) and that this expenditure be financed from Account No. CH57101-73001.

Respectfully submitted,

S. J. Dembe, Secretary  
April 30, 1992

ALDERMAN W. M. McCULLOCH,  
CHAIRPERSON



## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1992 and respectfully recommends:

1. That the fees paid to the City Doctor be increased by 4% effective 1992 January 1.
2. That the salary classification for the following non-union position in the Traffic Services Department be approved as follows:

<u>Position:</u>	<u>Function:</u>	<u>Grade:</u>	<u>Salary:</u>
Chief Drafting Technician	Supervise staff in the drafting section and co-ordinate work flow. Perform traffic design functions and produce drafting evaluation assignments.	M	\$40,640.60- \$47,819.20

3. That, in order to correct an error in Appendix "A" of the Capital Budget submission to City Council 1992 March 27, that Project No. 126.0 "Chedoke Mountain Steps", incorporated in the Council Agenda under Page C5 of Section 1(a) of Appendix "A", with a starting date incorrectly stated as 1994, be revised to the correctly approved year of 1998.
4. That as referred to in Section 25 of the Sixth Report of the Transport and Environment Committee for 1992, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the following projects:



- (a) Upper Paradise Road east side from Stone Church Road to approximately 187m southerly and from approximately 86m south of Skyview Drive to approximately 83m southerly - independent concrete sidewalk at an estimated gross cost of \$27,700. with a City's share of \$7,964. to be financed from 1992 Capital Levy and the balance of \$19,736., being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$19,736. for a term not to exceed 20 years for the above project.
  - (b) Upper Paradise Road west side from Stone Church Road to approximately 138m southerly - independent concrete sidewalk at an estimated gross cost of \$11,400., with a City's share of \$304. to be financed from 1992 Capital Levy and the balance of \$11,096., being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$11,096. for a term not to exceed 20 years for the above project.
- 5. That as referred to in Section 18 of the Sixth Report of the Transport and Environment Committee for 1992, the City's Share of Services for the construction of Municipal Services on Fieldway Drive, Millwood Place and Public Walkway in Hamilton in the additional amount of \$40,000. be financed from the Reserve for City's Share of Services through Unsubdivided Lands, and the total cost of this project be revised from the previously authorized \$166,719. to the revised amount of \$206,719.
  - 6. That as referred to in Section 17 of the Sixth Report of the Transport and Environment Committee for 1992, the City's Share of Services for the Blossom Estates Subdivision in the amount of \$118,238.39 be financed from the Reserve for City's Share of Services through Unsubdivided Lands.
  - 7. That a purchase order be issued to Oakville Custom Swim Pools Ltd., Oakville, in the amount of \$65,371. including all taxes to renovate the pool filtration system at Jimmy Thompson Memorial Pool, King Street East, Hamilton, being the lowest of two quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Operating Supplies Account No. CH56103 31330.



8. (a) That authorization be given to the Manager of Purchasing to issue a purchase order to Honeywell Limited, Hamilton, for annual preventative maintenance of the Honeywell building automation controls for Hamilton Place, Hamilton Convention Centre and Copps Coliseum, in the annual amounts listed below for 1992 and that these expenditures be financed through various approved accounts, as follows:

(i) Hamilton Place	\$ 18,068.
(ii) Hamilton Convention Centre	40,296.
(iii) Copps Coliseum	125,376.

- (b) That this authorization allow for the renewal of the maintenance agreements including any inflationary increase for 1993 and 1994.

9. That civic silver pins be awarded to the following members of the 1991 and 1992 Blessed Sacrament Minor Bantam Basketball Teams for winning the 1991 and 1992 Provincial Championships:

Enzo Antonucci	Jesse Horner	Matt Milos
Neil Belot	Marcus Jankus	Vincent Pugliese
Scott Craven	Vic Jankus (Coach)	Neil Quinto
Jonathan Curtis	Scott Johnson	Lucas Richardson
Paul Dixon	Ted Kalnins	Jim Robinson (Coach)
Josh Docstator	Ron Laidman	Brian Taylor
Brian Donelson	Michael Leskovec	Leigh Taylor
Matthew Erdman	Rick Matthew (Manager)	Kyle Yeomans
Serge Fuca	Taylor Matthew	

10. That permission be granted to Westdale Secondary School to use the east and west areas of the second floor foyer to display Grade 13 Students Art Work from Monday, 1992 June 22 to 26 inclusive.

11. (a) That the Manager, Property Maintenance Division, be authorized and directed to erect a reviewing stand and all other pertinencies on the south sidewalk on Main Street West in front of City Hall on Saturday, 1992 May 30, to be in place from 8:45 a.m. to 11:45 a.m. on the occasion of the annual Boy Scout and Girl Guide Parade.
- (b) That Scouts Canada be granted permission to use the east side of the City Hall lower level parking lot for a dispersal area following the Boy Scout and Girl Guide Parade.



12. That approval be given to the action taken by the City Clerk in authorizing the Croatian Democratic Union of Hamilton-Wentworth to use the City Hall Forecourt and related equipment on Saturday, 1992 April 25 from 2:00 to 3:00 p.m. for a peace rally.
13.
  - (a) That permission be granted to the Hamilton Veterans Committee to use the City Hall Forecourt on Sunday, 1992 June 14 from 11:30 a.m. to 12:15 p.m. for the purposes of forming up a parade which will march from City Hall to the Cenotaph in Gore Park for a 12:30 p.m. Decoration Day Service; and,
  - (b) That the first floor of City Hall be open to Hamilton Veterans to access washrooms from 11:30 a.m. to 12:15 p.m.; and,
  - (c) That the City Clerk be authorized to approve of a similar use in future years, provided it does not conflict with any other event.
14. That approval be given to the action taken by the Acting City Clerk in authorizing the Kinette Club of Hamilton to use the City Hall forecourt and flagpole for a Flag Raising Ceremony from 12:00 noon to 2:00 p.m. on Wednesday, 1992 May 06 during the Proud to be Canadian Tour.
15. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the Festival of the Mordomia de St. John Day in honour of the Holy Spirit being held outdoors at the Lusiadas Parking Lot (Mulberry Street between MacNab and James Street) on 1992 June 20th and 21st, and has no objection to the issuance of a Special Occasion Permit.
16. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the Summer Festivities of St. Mary's Portuguese Parish (Portuguese Congregation) being held on the Parish grounds at 146 Park Street North on 1992 June 7, July 5, August 7-9 and September 6&7, and has no objection to the issuance of a Special Occasion Permit.
17.
  - (a) That the "Final Report for an Archive of Municipal Records of the City of Hamilton, the Regional Municipality of Hamilton-Wentworth and nine (9) other participating bodies in the Hamilton-Wentworth Region" as prepared by Lord Cultural Resources Planning & Management Inc., be received. Copies of the Executive Summary were distributed to members of the Finance and Administration Committee and are available from the Committee Secretary upon request.



- (b) That City Council refer the Report to the City Clerk's Office, and that the City Clerk designate a staff member to participate along with representatives, from the other participating bodies, on the Municipal Archive Planning Committee to be chaired by the Hamilton Public Library. The Planning Committee shall be charged with the responsibility of developing an implementation plan.
18. That approval be given for assistance in the hosting of the Ontario Recreation Forum-Conference being held 1992 May 7-8-9 in Hamilton in an amount not to exceed \$1,200., and that this amount be charged to "Hosting of Conferences with Municipal Subject Content", Account CH 55307-80040. This will be a one-time subsidy for the inaugural event which will become an annual event held in the City of Hamilton.
19. That the Regional Municipality of Hamilton-Wentworth, through its Health and Social Services Committee and the Regional Medical Officer of Health be requested to review possible actions that can be taken to petition for legislative changes to directly control the sale of glue to minors, or the shops which sell such substances, as a means of limiting illicit use.
20. That the following resolution from the Town of Tillsonburg respecting the cross-border shopping problem be received:

WHEREAS the Treasurer of Ontario will be presenting a budget in the near future;

AND WHEREAS the Province of Ontario requires additional sources of revenue;

AND WHEREAS the problems of cross-border shopping and smuggling have hurt the border municipalities and cost the Province millions in lost revenue;

THEREFORE be it resolved that the Council of the Town of Tillsonburg write a letter to the Treasurer of Ontario asking that he roll back the sales taxes on alcohol, tobacco and gasoline in the upcoming budget to stimulate the economy;



AND FURTHER THAT all Ontario municipalities, Counties and Regions be asked to consider this resolution and, in turn, send a copy of their endorsement to the Premier of Ontario.

21. That the following resolution from the Town of Tillsonburg respecting waste reduction be received:

WHEREAS the matter of the pending mandate put forth by the Minister of the Environment with respect to mandatory curbside re-cycling be activated in 1992 for municipalities of populations in excess of 5,000 people and further mandates of municipalities to divert waste to landfill in 1992 by 25% and by 50% by the year 2000;

AND WHEREAS solid waste collected at residential curbsides in municipalities across Ontario represents a much lesser amount than solid waste of industrial and commercial that ends up in the same landfill site;

AND WHEREAS recycling efforts of residents of municipalities in Ontario cannot meet the requirements of the Ministry without industry reducing waste to landfill by an equal percentage of diversion;

BE IT THEREFORE RESOLVED that the Council of the Town of Tillsonburg, recommend to the Ministry of the Environment, the Honourable Ruth Greer, that her Ministry promote the Plan for the required amount of diversion of waste by industry across the Province in a more vigorous manner.

22. That the City of Hamilton host a reception for Roberta Bondar on the occasion of her special appearance in Hamilton on Thursday, 1992 May 14th, prior to the conferral of an Honourary Doctorate by McMaster University. That the charges for this civic luncheon in the amount of \$2,500. be charged to Account No. CH55314 -84010.



23. (a) That Mayor Morrow; Alderman Ross, Chairperson of the Finance and Administration Committee; and J. Pavelka, Acting Chief Administrative Officer be authorized to meet with representatives from the City of Burlington to negotiate the possible sale of LaSalle Park to the City of Burlington.

**AMENDED AND CARRIED.**

- (b) That the revenue from the sale of LaSalle Park be used for City of Hamilton Waterfront Projects.

**ADDED AND CARRIED.**

**Recorded vote on Section 23 (a) (b) and Section 23 as amended.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Drury, Morelli, Wilson, Agostino, Eisenberger, Anderson, Ross. -8.

NAYS: Aldermen Cooke, Kiss, Agro, Charters, Jackson, Merling. -6. **CARRIED.**

24. (a) That authorization be given to the Director of Property to proceed with the re-lamping of the Property Department space on the first floor of City Hall, utilizing new T-8 lamp and electronic ballast technology in conjunction with Ontario Hydro at no cost to the City; and,
- (b) That the Director of Property be authorized to initially pay for electrical retrofit at an estimated cost of \$11,400. with total reimbursement being directed to the City from Ontario Hydro once the project is completed.
25. (a) That the 1992 requirement of the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) for the provision to purchase office equipment, motor vehicle, computers and like items in the amount of \$50,240. be financed from the Reserve for H.S.P.C.A. Capital Projects; and,



- (b) That the H.S.P.C.A. be requested to include the specific funding requirement for the purchase or replacement of motor vehicle, computer, office equipment, etc. in the current operating budget for 1993 and future years to be considered during the City's budgeting process.
- (c) That the City Treasurer be directed to recommend at the 1992 year end a method of replenishing the amount of \$50,240. to the Reserve for H.S.P.C.A. Capital Projects.

26. That funds be allocated from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101, for the replacement of vehicles as summarized below:

<u>Section</u>	<u>No. of Vehicles</u>	<u>Estimated Amount</u>
City Garage Pool	15	\$ 250,000.
Public Works - Vehicles	43	<u>2,155,050.</u>
- Miscellaneous Equipment	<u>18</u>	
TOTAL	<u>76</u>	<u>\$2,405,050.</u>

27. (a) That the optional Pre-authorized Tax Payment Plan be implemented effective 1993 January 1.
- (b) That the following elements of the optional Pre-authorized Tax Payment Plan be approved:

Eligibility

- (i) The Plan shall initially be available to Residential properties excluding residential commercial and industrial properties.
- (ii) The status of the tax account must be current.



- (iii) Continued enrolment in the Pre-authorized Tax Payment Plan may be revoked by the Treasurer if more than one monthly payment fails to be honoured. Tax accounts disqualified from the program, shall revert to the regular instalment billing system and be subject to penalties and interest in accordance with By-law Number 71-69 or subsequent levy by-laws. In such cases the taxpayer will not be eligible to re-apply for enrolment in the Pre-Authorized Tax Payment Plan for a period of one year after the account has been returned to good standing.
- (iv) Payments shall be by pre-authorized withdrawal (electronic funds transfer) from the applicant's financial institution.
- (v) Payments for the 1993 taxation year shall be made in eleven monthly payments commencing 1993 January 1 to 1993 November 1, inclusive. Payments for the 1994 taxation year shall be made in twelve payments commencing 1993 December 1 to 1994 November 1, inclusive and continue thereafter in twelve monthly payments. Where enrolment is made during the course of the year the payments will be prorated.
- (vi) Enrolment applications received by 1992 November 15 will be eligible for the program as of 1993 January 1. Applications received after 1992 November 15 will be placed on the pre-authorized payment plan as soon as possible thereafter. Enrolment is continuous and valid for each subsequent year unless written notice of cancellation is received.
- (vii) Provided that pre-authorized payments are maintained as scheduled, no interest, discount or penalties will be applied.
- (viii) Each taxpayer enrolled in the plan, will receive an annual statement of account and a revised monthly payment amount for the next period.
- (c) That the City Solicitor be authorized and directed to prepare the necessary By-laws for the implementation of the optional Pre-authorized Tax Payment Plan.
- (d) For the information of the members of City Council, the Finance and Administration Committee have directed the Acting City Treasurer to report back on including commercial and industrial assessed properties in the Plan.



28.
  - (a) That the policy dated 1985 August "Personal Harassment at the Workplace" be rescinded and that the proposed new policy on Harassment and Discrimination attached hereto and marked as Appendix "A", be approved;
  - (b) That the Commissioner of Human Resources review with the Status of Women Sub-Committee and the Mayor's Race Relations Committee the changes to the Policy on Sexual Harassment; and,
  - (c) That the Commissioner of Human Resources report to the Finance and Administration Committee on any recommended changes put forward after review by the Status of Women Sub-Committee and the Mayor's Race Relations Committee.
29. That the amount of \$7,500. to cover additional Fire Department recruiting expenses be funded initially by an approved overdraft in the accounts of the Fire Department and be absorbed within the overall surplus of the City if necessary.
30. That the City of Hamilton declines to resolve Ontario Court (General Division) Action No. 26023/91 by the payment to the Plaintiff, Betty Warren, of the sum of \$2,000. in full satisfaction of her claim for damages, interest and costs.
31. That the correspondence received by numerous retailers in the City of Hamilton respecting Applications for exemption as prescribed in Bill 115 and The Retail Business Holidays Act, Ontario for the purpose of permitting Sunday and holiday shopping, as attached herewith and marked Appendix "B", be referred to Regional Council for consideration by the Economic Development and Planning Committee.
32.
  - (a) That Section 34 of the Eighth Report for 1992 of the Finance and Administration Committee, adopted by City Council on 1992 March 31 respecting the tabling of the Performance Excellence Programme, be reconsidered; and,
  - (b) That the tabling of the Performance Excellence Programme be extended from 1992 May 2nd to 1992 June 2nd.



33. For the information of the members of City Council, the Finance and Administration Committee have revised the Terms of Reference of the English Language Sub-Committee to include the words, "under the control and jurisdiction of Hamilton City Council" at the end of the mandate. The English Language Sub-Committee have been advised that only issues of municipal content will be considered by the Finance and Administration Committee.
34. For the information of the members of City Council, the Finance and Administration Committee appointed Valya Roberts as the Hamilton Status of Women Sub-Committee's representative on the Advisory Committee on Equitable Representation on Committees/Boards/Commissions. Ms. Roberts replaces Mary McKenzie, a former Sub-Committee member.
35. That leave be granted to introduce the following Bills:
- (a) Bill H-38 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
  - (b) Bill H-39 A By-law to Appoint a City Treasurer.  
**ADDED AND CARRIED.**
36. **That the Memorandum of Agreement between the Corporation of the City of Hamilton and C.U.P.E. Local 1041 dated April 9, 1992 be approved and implemented in accordance with the terms therein. ADDED AND CARRIED.**

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1992 May 7**



## **POLICY AGAINST DISCRIMINATION & HARASSMENT**

The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton will ensure that the protection provided by the Ontario Human Rights Code against discrimination and harassment is respected and maintained in the workplace. Harassment is defined as engaging in a course of vexatious comment or conduct that is known or ought to reasonably be known to be unwelcome.

The Ontario Human Rights Code prohibits discrimination and/or harassment based on one or more of the following grounds:

- |                      |                     |
|----------------------|---------------------|
| - handicap           | - race              |
| - sex                | - colour            |
| - sexual orientation | - creed             |
| - citizenship        | - family status     |
| - marital status     | - age(18-65)        |
| - ethnic origin      | - place of origin   |
| - ancestry           | - record of offense |

Training programs will be provide to alert all staff to their rights under this legislation and to emphasize the commitment of the employer to the achievement of the goals of the legislation.



## **PROCEDURES & GUIDELINES**

### ***DEFINITIONS:***

#### **1. Discrimination**

Refers to intolerant behaviour towards individuals or groups. The intolerant behaviour may be direct (eg. denying people access to jobs based on their colour, nationality, dress, etc.) or systemic (eg. denying someone a job because of culturally-biased testing). Discrimination may come from an individual or through systems and attitudes perpetuated within institutions.

#### **2. Harassment**

Defined as engaging in a course of vexatious comments or conduct that is known or ought to be known to be unwelcome. Harassment can make you feel uncomfortable, embarrassed, offended or intimidated. Types of behaviour that may constitute harassment include, but are not limited to:

- unwelcome jokes about one's colour, ancestry, religion, etc
- display of racist pictures
- teasing or gestures which can cause embarrassment.

### ***RESPONSIBILITIES:***

1. The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton are responsible for:

- 1) ensuring corporate policies and procedures comply with the provisions in the Ontario Human Rights Code.
- 2) providing human rights training to all employees.
- 3) creating an environment that encourages prospective complainants to report all incidents of discrimination or harassment.



- 4) a redress mechanism to handle and investigate discrimination and harassment complaints.
2. Management personnel have the responsibility to:
  - i) protect all employees from discrimination and harassment.
  - ii) respond immediately to all complaints.
  - iii) discipline those employees found guilty of violating this policy.
3. Every employee of this organization has the responsibility of ensuring that the work environment is free from discrimination and harassment. Every employee is discouraged from engaging in any activity that may be perceived as discrimination or harassment.

#### **PROCEDURE:**

1. Employees who have a complaint alleging a violation of this policy are encouraged to:
  - a) make your disapproval and/or unease known to the harasser or source of discrimination and request all offensive behaviour to cease; or
  - b) discuss concerns with an immediate supervisor; or
  - c) seek advice from a union representative.
2. If the complainant is not satisfied with the outcome of the first step, or the harassment/discrimination has not ceased the complainant may arrange an interview with the Employment Equity Office.
3. a) The complainant should provide the Employment Equity Office with the following details:
  - the nature of the complaint
  - supporting information
  - specific incidents of the complaint
  - names of witnesses willing to provide information
  - the information that the witnesses are expected to provide.b) Following the initial interview the complainant may be requested to complete a complaint form.



4. Once the complaint form is received by the Employment Equity Office, it will be assigned for investigation. The Department Head of the complainant and the Commissioner of Human Resources will be notified that an investigation is being conducted.
5.
  - a) The Employment Equity investigator will notify the respondent that a complaint has been received and will arrange a date and time for an interview.
  - b) At the interview, the complaint will be reviewed with the respondent who will be requested to respond to the allegations. If a formal complaint has been received the respondent will be requested to respond in writing.
  - c) If the respondent refuses to meet with the Employment Equity Office, the investigation will proceed and a decision will be made based on information provided by all other sources.
6. During the interview with the respondent, any additional information provided must be signed.
7. Interviews will be arranged and completed with witnesses and any other individuals who may offer pertinent information to the investigation. All persons interviewed must sign their statement of facts to ensure accuracy.
8.
  - a) Any employee attending a meeting is entitled to be accompanied by one other person of their choice.
  - b) Further meetings may be requested by the Employment Equity Office or designate if clarification of information is required.
9. Once the investigation is complete, the Employment Equity Office will forward a report of findings and recommendations to the Commissioner of Human Resources.
  - a) The appropriate Department Head will be notified in writing of the findings of the investigation and the recommendations.
  - b) The complainant and respondent(s) will be notified by the Employment Equity Office of the findings of the investigation.
  - c) If the investigation reveals the complaint is unfounded, a request may be made for the complainant to appear before the supervisor and a designate



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from the Employment Equity Office to show cause why discipline should not be imposed for an abuse of process.

### ***DISCIPLINARY ACTION:***

Where an employee has violated the Region and City's Policy Against Discrimination and Harassment the department will be responsible for imposing disciplinary action on that employee. A letter from the Department Head stating the action taken should be forwarded to the Employment Equity Office within 5 working days of receipt of notification of findings.

### ***RETALIATION:***

Any form of retaliation against a complainant will be considered a serious violation of this policy and will not be tolerated. Such actions will be subject to disciplinary action.

### ***APPEALS:***

If the complainant or respondent(s) requests reconsideration of the findings of the investigation, an appeal must be made in writing within 10 days of the date the complainant and respondent(s) were notified of the findings and must include a statement of just cause as to why the findings of the investigation should be reexamined. All parties involved will be notified that a request for reconsideration has been made and will be given the opportunity to reply. The Commissioner of Human Resources will make a final decision on the disposition of the case.

### ***FALSE ACCUSATIONS:***

The Region and City do not approve of any behaviour that undermines working relationships and personal dignity, and therefore will not condone any false and fabricated



1992 May 12

charges against innocent employees. Any employee found to be engaged in such behaviour will be subject to disciplinary action as outlined in this policy.

***CONFIDENTIALITY:***

1. All complaints and investigations will be handled as confidentially as practicable and appropriated under the circumstances.
2. All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by the Employment Equity Office except where disclosure is required by law.

***THE ONTARIO HUMAN RIGHTS COMMISSION:***

At any point in an investigation the complainant has the right to file a complaint with the Ontario Human Rights Commission.



## **SEXUAL HARASSMENT POLICY**

The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton believes that all employees have a right to a working environment free from sexual harassment. In order to achieve this desired environment this organization will not accept or tolerate sexual harassment in the workplace. Our commitment to this goal includes sexual harassment education for all employees, the creation of an environment that encourages the reporting of all sexual harassment incidents, and the provision of a redress mechanism to handle and investigate all sexual harassment complaints.

Sexual harassment is:

- any sexual incident that is offensive, humiliating or persistent to any employee, or
- a threat, reprisal or denial of opportunity for refusal to comply with a sexually oriented request, or
- a promise for reward for complying with a sexually oriented request.

Sexual harassment includes, but is not limited to unwanted touching, unwelcome sexual flirtations, leering, advances, propositions, sexual assault, sexually suggestive remarks and the display of sexually offensive material in the workplace.

Sexual harassment victims may be either male or female. Most often sexual harassment is directed by a male in authority towards a female subordinate, however harassment may also occur between co-workers, and persons of the same gender.

The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton have developed procedures and guidelines to accompany this policy because all employees have the right to be treated with dignity, respect and fairness in the workplace.



## PROCEDURES & GUIDELINES

### **DEFINITIONS:**

#### **1. Sexual Harassment**

a) one or more verbal, non-verbal, visual, physical or psychological incidents of a sexual nature that:

- i) is likely to cause offence or humiliation to any employee, or
- ii) might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or any opportunity for training or promotion.

b) Types of behaviour which constitute sexual harassment include, but are not limited to:

- unwanted touching or patting
- sexually suggestive or obscene remarks
- leering (suggestive staring) at a person's body
- display of sexually offensive material
- demands for sexual favours
- unwelcome sexual flirtations, advances, propositions
- sexual assault.

c) Sexual harassment most often occurs in the form of behaviour by a male in authority towards females in subordinate positions; however, sexual harassment may also occur between men, between women, between co-workers, or as behaviour by women towards men.

#### **2. Sexual Harassment in the Workplace**

Refers to any sexual harassment by an employee of this organization which occurs:

- i) during normal working hours, or



- ii) any other work-related settings, such as conferences, seminars or business-related social events.

### **RESPONSIBILITIES:**

1. The Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton are responsible for providing:

- i) all employees with sexual harassment education.
- ii) an environment that encourages prospective complainants to report all incidents of sexual harassment.
- iii) a redress mechanism to handle and investigate sexual harassment complaints.

2. Management personnel have the responsibility to:

- protect all employees from sexual harassment
- respond immediately to complaints
- discipline those employees found guilty of violating this policy.

Managers that are aware of harassment and do not take corrective action, may be subject to disciplinary action.

3. Every employee of this organization has the responsibility of ensuring that the work environment is free from sexual harassment. Every employee is discouraged from engaging in any behaviour that may be perceived as sexual harassment. In addition, every employee who believes another employee is experiencing sexual harassment or retaliation is encouraged to follow the procedures outlined in this policy.

### **PROCEDURE:**

1. Any employee that believes they have been subjected to sexual harassment should make their disapproval known to the harasser and request all offensive behaviour to cease.
2. If the complainant does not wish to approach the alleged harasser or such an approach does not produce satisfactory results the complainant should seek the



advice of a union representative, supervisor, department head or the Employment Equity Office.

3. The complainant should maintain a written record of the alleged nature of the harassment, date(s), time(s), behaviour and if any witness(es).
4. If advice is sought the complainant will be made aware of their rights, available counselling, and other avenues of recourse.
5.
  - a) The meeting should determine whether the conduct described constitutes sexual harassment according to the definition in this policy.
  - b) Following the initial interview the complainant may be requested to complete a complaint form.
6. The person(s) named in the complaint (the respondent) will be contacted and notified of the allegations and requested to respond to the allegations.
7. Interviews will be arranged and completed with witnesses and any other individuals who may offer pertinent information to the investigation. All persons interviewed must sign their statement of facts to ensure accuracy.
8.
  - a) Any employee attending a meeting is entitled to be accompanied by one other person of their choice.
  - b) Further meetings may be requested by the Employment Equity Office or designate if clarification of information is required.
9. Once the investigation is complete, the Employment Equity Office will forward a report of findings and recommendations to the Commissioner of Human Resources.
  - a) The appropriate Department Head will be notified in writing of the findings of the investigation and the recommendations.
  - b) The complainant and respondent(s) will be notified by the Employment Equity Office of the findings of the investigation.
  - c) If the investigation reveals the complaint is unfounded, a request may be made for the complainant to appear before the supervisor and a designate from the Employment Equity Office to show cause why discipline should not be imposed.



### ***DISCIPLINARY ACTION:***

Any employee who has violated the Region and City's Sexual Harassment Policy will be disciplined by the department according to the severity of the actions, up to and including dismissal. A letter from the Department Head stating the action taken should be forwarded to the Employment Equity Office within 5 working days of receipt of notification of findings.

### ***RETALIATION:***

Any form of retaliation against a complainant will be considered a serious violation of this policy and will not be tolerated. Such actions will be subject to disciplinary action.

### ***APPEALS:***

If the complainant or respondent(s) requests reconsideration of the findings of the investigation, an appeal must be made in writing within 10 days of the date the complainant and respondent(s) were notified of the findings and must include a statement of just cause as to why the findings of the investigation should be reexamined. All parties involved will be notified that a request for reconsideration has been made and will be given the opportunity to reply. The Commissioner of Human Resources will make a final decision on the disposition of the case.

### ***FALSE ACCUSATIONS:***

The Region and City do not approve of any behaviour that undermines working relationships and personal dignity, and therefore will not condone any false and fabricated charges against innocent employees. Any employee found to be engaged in such behaviour will be subject to disciplinary action as outlined in this policy.



***CONFIDENTIALITY:***

1. All complaints and investigations will be handled as confidentially as practicable and appropriate under the circumstances.
2. All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by the Employment Equity Office except where disclosure is required by law.

***THE ONTARIO HUMAN RIGHTS COMMISSION:***

At any point in an investigation the complainant has the right to file a complaint with the Ontario Human Rights Commission.



1992 May 12

# CORPORATION OF THE CITY OF HAMILTON

## MEMORANDUM

Appendix "B" referred  
to in Section 31 of the  
Twelfth Report of the  
Finance and Administration  
Committee for 1992.

TO: Alderman D. Ross, Chairperson  
and members,  
Finance and Administration Committee

YOUR FILE:

FROM: Susan K. Reeder, Secretary  
Finance and Administration Committee  
City Clerk's Department

OUR FILE:  
PHONE:

SUBJECT: Applications for exemption as  
prescribed in Bill 115 and  
The Retail Business Holidays Act,  
Ontario for the purpose of permitting  
Sunday and holiday shopping.

DATE: 1992 May 5

Attached herewith is a copy of a letter recently received with respect to the above-noted matter.

This same letter has been reproduced and received from the following:

(a) Eric Paul, Chairman and Chief Executive Officer for Bi-Way Stores Limited on behalf of the following stores:

- (i) 416 Concession Street (attached)
- (ii) 770 Upper James - Bi-Way/Drug World
- (iii) Centre Mall, 1227 Barton Street East
- (iv) 1037 Mohawk Road East - Bi-Way/Drug World
- (v) Strathbarton Mall, 1565 Barton Street East
- (vi) Mountain Plaza Mall, 679 Upper James
- (vii) Queenston Mall, 686 Queenston Road, Stoney Creek
- (viii) Westcliffe Mall, Mohawk & Upper Paradise
- (ix) 1629 Main Street West
- (x) 135 James Street North

(b) Joel Cooper, President and General Manager, Braemar on behalf of the following stores:

- (i) Lloyd D. Jackson Square, 2 King Street West
- (ii) Limeridge Mall, 999 Upper Wentworth Street (Braemar Petites)
- (iii) Limeridge Mall, 999 Upper Wentworth Street

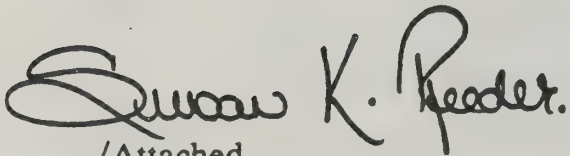


- (c) Sol Nayman, Executive Vice-President, Club Monaco International on behalf of the following store:
  - (i) Lloyd D. Jackson Square, 2 King Street West
- (d) Lynn Posluns, President, Fairweather (division of Dylex Ltd.) on behalf of the following stores:
  - (i) Centre Mall, 1227 Barton Street East
  - (ii) Hamilton Eaton Centre, 77 James Street North
  - (iii) Lloyd D. Jackson Square, 100 King Street West
  - (iv) Limeridge Mall, 999 Upper Wentworth Street
  - (v) Eastgate Mall, 75 Centennial Parkway North
- (e) Robert J. Humphrey, President, Harry Rosen Inc. on behalf of the Hamilton Eaton Centre store.
- (f) Richard Leduc, President, Steel (division of Dylex Limited) on behalf of the following stores:
  - (i) Eastgate Square, 75 Centennial Parkway North, Stoney Creek
  - (ii) Centre Mall, Barton Street
  - (iii) Limeridge Mall, 999 Upper Wentworth Street
  - (iv) Lloyd D. Jackson Square, 100 King Street West
- (g) Irving Teitelbaum, Chairman & Chief Executive Officer, Susy Shier, on behalf of the following stores:
  - (i) Limeridge Mall, 999 Upper Wentworth Street
  - (ii) Lloyd D. Jackson Square, 100 King Street West
  - (iii) Eastgate Square, 75 Centennial Parkway North, Stoney Creek
  - (iv) The Centre Mall, 1227 Barton Street East
- (h) Mickey Maklin, Senior Vice-President & General Manager, Thrifty's on behalf of the following stores:
  - (i) Limeridge Mall, 999 Upper Wentworth Street
  - (ii) Lloyd D. Jackson Square, 2 King Street West
  - (iii) Centre Mall, 1227 Barton Street East



(i) Gordon Edelstone, Chairman & Chief Executive Officer, Tip Top Tailors on behalf of the following stores:

- (i) Eastgate Square, 75 Centennial Parkway North, Stoney Creek
- (ii) Lloyd D. Jackson Square, 2 King Street West
- (iii) Centre Mall, 1227 Barton Street East

 Susan K. Reader.

/Attached.

c.c. - All members, City Council

- J. Pavelka, Acting Chief Administrative Officer
- P. Noé Jackson, City Solicitor





1992 May 12  
BI-WAY STORES LIMITED  
HEAD OFFICE: 115 COMMANDER BLVD., SCARBOROUGH, ONT. M1S 3M7  
TELEPHONE: (416) 292-2626 TELECOPIER: (416) 292-8035

April 20, 1992

RECEIVED

APR 27 1992

Hamilton City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

CITY CLERKS

ATTENTION: CLERK'S OFFICE, CLERK OF THE MUNICIPALITY

Dear Sir/Madam:

**RE: APPLICATION FOR EXEMPTION AS PRESCRIBED IN BILL 115 AND  
THE RETAIL BUSINESS HOLIDAYS ACT, ONTARIO, "The Act"**

Bill 115 (chapter 43, Statutes of Ontario, 1991) was brought into law through Royal Assent dated November 25th, 1991. Section 4 of the Retail Business Holidays Act, as re-enacted and as repealed, has now been substituted by a new Section 4, the following paragraphs of which, have been selected for the purposes of this application. These are stated here for your information and reference:

4.-(1) Despite section 2, the council of a municipality may by by-law permit retail business establishments in the municipality to be open on holidays for the maintenance or development of tourism.

4.-(4) Subject to the regulations made under this section, the council shall consider a by-law under subsection (1) only on the application of one or more persons carrying on retail business in the municipality or on the application of an association, whether or not incorporated, representing persons carrying on retail business in the municipality.

We now make application to you, as representative of "council of a municipality", under Section (4) of The Act for exemption as contemplated therein. We presently operate a retail business within your municipal district as follows:

Bi-Way  
416 Concession Street  
Hamilton, Ontario  
L9A 1B9



Our many retail businesses provide highly desirable fashion clothing merchandise to the consumer. We cater to the demands of the consumer and also to the ever changing dictates of fashion. We provide these merchandise offerings to local consumers and to visitors to our many beautiful cities and environs, through highly visible and attractive retail stores which are located, for the convenience of shoppers and tourists alike, mostly in shopping malls throughout the Province. Our stores are in excess of 2,400 square feet in area and employ more than 4 individuals at each location. Consequently, we rely on both local consumers and tourists alike for the sustenance and well-being of our operations and the pursuit and achievement of our corporate objectives.

Bearing in mind the wishes of most consumers in regards to Sunday and holiday shopping; the current flow of shoppers from within Ontario who continue to shop south of the border and the need generally for citizens of Ontario, both personal and corporate, to demonstrate initiative in the resuscitation of our local economies, it is, in our judgement and opinion, to the benefit of both local economies and the tourism industry in general, that we, alongside other retail businesses, be granted exemption from the prohibition as defined under section 2.-(1) of The Act. Operating retail business during holidays will, in our opinion, not only begin to stem "cross border shopping" but it will too, encourage visits and tourism by our American friends to Ontario, thus further improving our local economies.

The Act makes reference to the maintenance of holidays as "common pause days". We have always conducted ourselves in a highly responsible manner in regards to managing our human resources. We are sensitive and responsive to the needs of our many management and other professional staffing and maintain a fully staffed and highly competent Human Resources department. Testimony to our human relations standards is evidenced by the performance and responses of our employees during the December 1991 holiday exemption from The Act as provided to retail stores. We maintain the highest ethical standards in regards to fair treatment of our employees, work schedules and the need for common pause days.

The Ministry of Tourism and Recreation is quick to acknowledge and promote the abundant outstanding natural, historical, educational, recreational, cultural and multicultural tourist attractions in our beautiful Province of Ontario. These attractions exist throughout the Province and are located in most, if not all, of our towns and cities across the Province. These attractions are of interest to Ontarians and tourists throughout the year and it is with little doubt that we can attest to our stores being located within 2 kilometres of a tourist attraction.

Since many of our stores are located in shopping malls across the Province, it is necessary that the issue of exemptions under The Act be considered in the context of shopping malls as well as free standing retail locations with street or strip plaza exposure. Consider too that not only is it incumbent upon us to obtain the necessary exemption as a retail business having more than 4 employees operating out of more than 2,400 square feet, but for all practical purposes, it is further required that the mall in which we operate be granted exemption too, failing which our stores will not be viable or otherwise authorized to operate on holidays within the shopping mall.



1992 May 12

It is further noted under substituted paragraph 4.-(9)(a) that the council of a municipality may establish procedures and fees for the processing of applications. Since no fees have yet been approved by council and no otherwise formal procedure has yet been determined, this application for exemption is made without prejudice and subject to our further approval and confirmation once the municipality has approved a specific procedure and fee basis.

We anticipate your fullest co-operation, both as a municipal body and as citizens of the Province of Ontario, to utilize the authority provided in Bill 115 in a manner that will optimize our economic recovery and return us to a more stable economic environment, providing exciting and competitive business opportunities and consequently improved employment opportunities for all citizens of Ontario.

Yours very truly,



Eric Paul

Chairman and Chief Executive Officer

EP/lc







1992 May 26

Hamilton City Council  
1992 May 26  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Rabbi Irwin Zeplovitz, Temple Anshe Sholom led Council in prayer.

\* \* \* \* \*

Dr. M. Keyes announced the 1992 Inductees for the Hamilton Gallery of Distinction.

\* \* \* \* \*

Mayor R. M. Morrow presented Certificates of Recognition for Citizen Services on City  
Committees, Boards and Commissions to several former citizen members.

\* \* \* \* \*

Mayor R. M. Morrow proclaimed the following:

"Hamilton-Wentworth Access Awareness Week - 1992 May 31 to June 5"

"Fit Day - 1992 May 27"

"Bike to Work Week - 1992 May 22 to 31"

"Keep Medicare Health Week - Hamilton and District Labour Council - 1992 May 24 to 30"

"Amyotrophic Lateral Sclerosis (ALS) - Lou Gehrig's Disease - 1992 June 6"

\* \* \* \* \*



The minutes of the meeting held 1992 May 12 were adopted.

\* \* \* \* \*

**Section 8 of the Ninth Report of the Planning and Development Committee for 1992 Re: Zoning Application 92-05 - James and Felicia Capuccinello Iraci - 50 Christopher Drive.**

Pursuant to Section 5(3) of the Municipal Conflict of Interest Act Alderman F. D'Amico declared an interest in section 8 of the Ninth Report of the Planning and Development Committee adopted by City Council on May 12, 1992 because he owns property in the immediate area. Alderman D'Amico was not present at the May 12, 1992 City Council Meeting.

\* \* \* \* \*

**Petitions\Correspondence:**

1. Petition dated 1992 May 19 received by the Acting City Clerk respecting a change facility at the small training pool adjacent to Chedoke Public School on West 25th Street and Leslie Avenue. ("Sample" page previously distributed).

**Received.**

2. Application dated 1992 May 8 from Anwar Zurar, Hamilton, Ontario for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for 855 Upper Horning Road, Hamilton, Ontario.

**Received.**

3. Application dated 1992 May 11 from Jung Y. Mah, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified for 674 Upper James Street, Hamilton, Ontario.

**Received.**



4. Letter dated 1992 May 25 from Local 5 of the Canadian Union of Public Employees to Mayor Morrow along with a 45 page petition respecting the Dundurn Castle Aviary.

**Received.**

5. Letter dated 1992 May 7 from Dr. Richard Allan, Jobs Ontario Training Fund with respect to the launch of Jobs Ontario Training Fund.

**Received.**

6. Memorandum dated 1992 May 25 from J. J. Schatz, City Clerk to the Members of City Council respecting the Chairmanship of City Council Committee of the Whole.

It was moved by Alderman Agro and seconded by Alderman Ross that the Chairmanship of the Committee of the Whole be reviewed by the Finance and Administration Committee at its next regular meeting and that the next Chairman of City Council Committee of the Whole be selected at that time.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



**PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT**

**Section 3 Re: Selling of Beer and Alcoholic Beverages - Hostess Frito-Lay Company - Slo-Pitch Tournament - Globe Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -16.

**NAYS:** Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

**Section 12 Re: Dundurn Castle Aviary**

Recorded vote.

**YEAS:** Aldermen Cooke, McCulloch, Morelli, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 10.

**NAYS:** Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino. - 7.  
**CARRIED.**

\* \* \* \* \*

**Section 22 Re: Tiger Cat Agreement**

Recorded vote.

**YEAS:** Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 14.

**NAYS:** Mayor Morrow, Aldermen Agro, McCulloch. -3.

**CARRIED.**



**PARKS AND RECREATION COMMITTEE - TWELFTH REPORT**

**PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT**

**FINANCE AND ADMINISTRATION COMMITTEE - THIRTEENTH REPORT**

**Section 2 Re: Vehicle repairs - Fire Department**

It was moved by Alderman Wilson and seconded by Alderman Copps that section 2 of the Thirteenth Report of the Finance and Administration Committee be referred back. **LOST.**

Recorded vote on section 2

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -11.

**NAYS:** Aldermen Copps, Wilson. - 2. **CARRIED.**  
\*\*\*\*\*

**Section 3 Re: Vehicle repairs - Fire Department**

It was moved by Alderman Wilson and seconded by Alderman Copps that section 3 of the Thirteenth Report of the Finance and Administration Committee be referred back. **LOST.**

Recorded vote on section 3.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -11.

**NAYS:** Aldermen Copps, Wilson. - 2. **CARRIED.**



\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that Alderman T. Jackson be appointed as Acting Mayor for the month of June, 1992. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Reports of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Copps, Wilson, Eisenberger, Jackson, Merling, Anderson, D'Amico. -12.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills be now read a first time:

C-56, C-57, C-58, C-59.

H-40, H-41.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0. **CARRIED.**

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

\* \* \* \* \*

**Consideration of the Bills (second reading).**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-56, C-57, C-58, C-59.

H-40, H-41.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman Agro that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-56, C-57, C-58, C-59.

H-40, H-41.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, Ross, D'Amico. -13.

NAYS: -0.

CARRIED.

\* \* \* \* \*

City Council then adjourned at 8:55 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

J. J. Schatz  
City Clerk



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1992 and respectfully recommends:

1. (a) That the Director of Culture and Recreation be authorized to promote and encourage participation in a new initiative - Hamilton's "Bike to Work Week", 1992 May 25 to May 29.
- (b) That the Director of Culture and Recreation be authorized to purchase an executive Bike Rack for bicycle parking at City Hall at a cost not to exceed \$500.
2. (a) That the Director of Culture and Recreation be authorized to develop the staff organizational chart for the Sackville Hill Seniors' Recreation Centre Operation, in consultation with the Commissioner of Human Resources, and within the financial allocation for the Salary and Wage Report to provide:
  - Manager of Seniors and Food Services
  - Program and Facilities Supervisor
  - Food and Beverage Co-ordinator (Contract)
  - Cook (Contract)
  - Program Organizer
  - Short Order Cook(s) - Part-time
  - Servers - Part-time
  - Program Aids and Counsellors - Part-time
  - Desk and Reception Staff - Part-time
  - Resource Specialist and Instructors - Part-time
- (b) That classifications and salary grades be determined by Human Resources.



3. That approval be given to the Hostess Frito-Lay Company to sell beer and alcoholic beverages on the occasion of their Slo-Pitch Tournament to be held at Globe Park on Friday, 1992 August 14 and Saturday, 1992 August 15, subject to the following terms and conditions:
- (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a special occasion permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Jackson. -1.

**CARRIED.**

4. That approval be granted of the action taken by the Director of Culture and Recreation in approving the request by Sam Arrigo of Big "A" Amusement Ltd. to use Parkdale Park to host a fundraising event for the Queenston Parent/Child Drop In Centre 1992 July 7 to July 12 (12:00 noon to 10:00 p.m., 1992 July 7 to July 11 and from 12:00 noon to 6:00 p.m. 1992 July 12), subject to the following terms and conditions:
- (a) That insurance, in the amount of \$3 million, comprehensive general liability insurance for property damage and bodily injury, subject to cross liability, and 30 days notice of cancellation, be provided.
  - (b) That the applicant assume responsibility for all labour-related costs as a result of this event, i.e. clean up.



- (c) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
  - (d) That a Site Plan of the Park to be submitted one month prior to the event.
5. That the Department of Culture and Recreation be authorized to assist the Royal Life Saving Society, Ontario Branch in running a licensed 50-50 Draw to take place on Saturday, 1992 August 1 at Wild Waterworks, Confederation Park in order to raise funds for the "Water Smart" public education program.
  6. That the Director of Culture and Recreation be authorized to serve the National Recreation and Parks Association in the capacity of Program Chairman as invited for the National Recreation and Parks Association Congress to be held 1992 October 15 to October 19, in Cincinnati, Ohio.
  7. (a) That approval be given to the Director of Culture and Recreation to proceed with the following integrated playstructure projects for 1992: Earl Kitchener School, Phase II, Bruleville Park, St. Luke's School, Trenholme Park, Rushdale Park, Montgomery Park, Kennedy East Park, Durand Park, William Schwenger Park, Shawinigan Park and Gershomme Park.
  - (b) That the Director of Culture and Recreation be authorized to proceed with upgrading and redevelopment of existing play equipment to meet Canada Safety Act Guidelines.
  8. (a) That purchase orders be issued as follows for Hired Equipment Contractors as and when required during 1992, 1993 and 1994 in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders and that these expenditures be financed through various approved accounts.

<u>Excavators</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
F & S Excavating	\$70.	\$ 75.	\$ 80.
Danbill Equipment	\$85.	\$ 90.	\$ 95.
Workman Excavating	\$90.	\$100.	\$110.



D8 or equivalent Bulldozers

Digit Contractors	\$85.	\$ 90	\$ 95.
JDR Tools	\$90.	\$ 92.50	\$ 95.
Advance Excavating	\$90.	\$ 95.	\$100.
Sisson Construction o/a Quigley	\$95.	\$100.	\$105.

Hourly rates plus 7% GST

- (b) As the new equipment and contractors are unable to work until approval is received, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
9. That approval be given to the Hamilton Children's Museum to apply for an Experience '92 Grant, a summer youth employment programme supported by the Ministry of Culture and Communications.
10. (a) That the Hamilton Historical Board apply to the Ministry of Culture and Communications for a Reflections '92 grant application for funds to publish the Dundurn Castle 1991 archaeology report.
- (b) That the City's contribution of approximately \$1,600. towards the project be taken from Dundurn Castle's Merchandise Gift Shop Account.
11. That the following architectural fragments from the Dundurn Collection presently in off-site storage be approved for disposal through the regular process:

staircase bannisters	1979.25.1a-b 1979.25.2a-c 1979.25.3a-b 1979.25.4a-d
railing sections	1960.500.7a-g 1960.500.9



12. (a) That approval be given for the Hamilton and District Budgerigar and Cage Bird Society to manage the operation of the Dundurn Aviary with volunteers, effective 1992 July 1, subject to:
- i. The Hamilton and District Budgerigar and Cage Bird Society entering into a legal agreement with the City of Hamilton to the satisfaction of the City Solicitor.
  - ii. The City of Hamilton continue to fund the operating supplies, materials and contractual services for the aviary.
  - iii. The provision by the Hamilton and District Budgerigar and Cage Bird Society of a long term operating and management plan acceptable to the Director of Public Works including all aspects of the fiscal management of the aviary by 1993 January 15.
  - iv. The provision by the Hamilton and District Budgerigar and Cage Bird Society of an annual financial statement including all expenditures, cost projections and a summary of the breeding program.
- (b) That the Director of Public Works submit an annual status report on the aviary operation for consideration of the Parks and Recreation Committee.

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Morelli, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 10.

NAYS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino. -7.  
**CARRIED.**

13. (a) That the Director of Culture and Recreation through the Department Senior Management and the Main Hess Seniors' Centre Supervisor, in consultation with the Main Hess Seniors' Centre Volunteers Committee, be authorized to continue to provide the maintenance level of service, acceptable to all parties, for the period May to September.



- (b) That the same staff and volunteers be authorized to continue the operational review to determine the appropriate level of service for the period October to December and to report back to the Parks and Recreation Committee on any reallocation of funds from the Recreation Division's budget which will be required for the Main Hess Seniors' Centre with impact on other recreation-operations.
14. That the Director of Culture and Recreation be authorized to develop department restructuring based on maintaining or enhancing service levels and improving cost effectiveness or efficiencies. The restructuring will include, but not be limited to:
- (a) Rescheduling of facility based Supervisors to improve efficient use of time at facilities having two to six months of major program downtime.
  - (b) Rescheduling of facility based Supervisors to increase efficient time scheduling based on peak time coverage and downsized weak performing usage time periods within the confines of the job descriptions approved by Council.
  - (c) Reclassification of Facility Supervisors with new specialized responsibilities for food, beverages, disabled, seniors and community development which increases the span of central and financial accountability at locations not based on seasonal programming.
  - (d) Improved inter-facility co-ordination by internal reorganization to accommodate a third Facility Co-ordinator from the existing staff complement.
  - (e) Reclassification of the Aquatic Supervisors' position to include new swimming codes, qualifications and standards, and responsibility for pool scheduling for higher and special levels of service to the public.
  - (f) Formalizing the pilot program assignment of former facility based staff to provide community development programs, special needs accessibility, communications upgrading, active living programs, community arts programming and seniors' activity scheduling.
  - (g) Containment of part-time/seasonal costs in programs which cannot be deemed cost-recovering and serving within present day standards.



- (h) Development of a Heritage Co-ordination Plan to provide supervision to museums, heritage areas and restoration-conservation programs which are now directly the responsibility of the Manager of Cultural Services.
15. That the Director of Culture and Recreation be authorized to reschedule membership rates, admissions and program fees at recreation facilities to improve cost recoveries and affordability for rentals, admissions and instructional courses as outlined in Appendix "A" attached hereto.
16. (a) That the construction of two tennis courts and fencing at Gourley Park and the resurfacing of Rosedale Tennis Courts (4) at an estimated cost of \$42,800. be approved.
- (b) That the Director of Culture and Recreation and the Manager of Purchasing be authorized to proceed with the tendering process for both projects, to be completed in 1992.
- (c) That the Finance and Administration Committee recommend the method of financing.
17. (a) That the T. B. McQuesten Park development concept, as outlined in Appendix "B" attached hereto, be approved.
- (b) That staff be authorized to implement a fund raising and promotional campaign to pursue cost sharing agreements with various levels of government and the private sector.
- (c) That each individual garden concept with detailed cost and maintenance implications be forwarded for the Parks and Recreation Committee's consideration prior to construction.
18. (a) That a purchase order be issued to Moore/George Associates Inc., Toronto, in the amount of \$58,000. plus G.S.T. to provide consulting services for the City of Hamilton Park and Open Space Master Plan in accordance with the revised Terms of Reference, attached hereto as Appendix "C".
- (b) That the expenditures for the Master Plan be charged to the approved 1991 Park Development and Redevelopment Programme Account No. CF629154404.



- (c) That upon completion of the Master Plan, the available balance of funds in the Parks Master Plan work order be returned to the 5% Park Dedication Fund.
  - (d) That a contract with Moore/George Associates be entered into, satisfactory to the City Solicitor.
19. (a) That gate admission fees to the 1992 Mum Show production at the Gage Park Greenhouses be as follows:
- |                        |   |                            |
|------------------------|---|----------------------------|
| Adult/Senior           | - | \$2. (G.S.T. included)     |
| Youth (12 - 18 years)  | - | \$0.99 (no applicable tax) |
| Child (under 12 years) | - | free                       |
- (b) That at the discretion of the Director of Public Works complimentary passes be issued to donors of materials, services and/or financial support of the show.
  - (c) That following the 1992 production, staff submit a report on costs/revenues of the project.
20. (a) i. That an Offer to Purchase Tender Agreement, duly executed by Sabatino Manganiello on 1992 April 23 and scheduled for closing on or before 1992 July 24, for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, being part of Lot 51, Registered Plan 541, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, more particularly described as Part 8 on Registered Plan 62R-11955, be approved and completed, and the funds derived from this sale of \$40,100. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,005. is being held by the Treasurer pending City Council approval.



- ii. That an Offer to Purchase Tender Agreement, duly executed by Alex Charkot and Sheila Charkot on 1992 April 22 and scheduled for closing on or before 1992 July 23 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 51, Registered Plan 541, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.66 metres (139.96 feet) more or less, comprising a total area of 511.92 square metres (5,510.44 square feet) more or less, more particularly described as Part 7 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.
- iii. That an Offer to Purchase Tender Agreement, duly executed by 779597 Ontario Ltd. (Giulio Trulli, President) on 1992 May 5 and scheduled for closing on or before 1992 July 21 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage of 12.00 metres (39.37 feet) more or less, along the westerly road limit of Upper Wentworth Street, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, more particularly described as Part 4 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$35,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$1,750. is being held by the Treasurer pending Council approval.
- iv. That an Offer to Purchase Tender Agreement, duly executed by 779597 Ontario Ltd. (Giulio Trulli, President) on 1992 May 5 and scheduled for closing on or before 1992 July 20 for the purchase of the lands situated within the Regional Municipality of Hamilton-



Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the westerly road limit of Upper Wentworth Street of 12.234 metres (40.13 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 521.78 square metres (5,616.57 square feet) more or less, more particularly described as Part 2 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$35,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$1,750. is being held by the Treasurer pending Council approval.

- v. That an Offer to Purchase Tender Agreement, duly executed by 456941 Ontario Ltd. (Paul Silvestri, President) on 1992 May 5 and scheduled for closing on or before 1992 July 22 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the westerly road limit of Upper Wentworth Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.66 metres (139.96 feet) more or less, comprising a total area of 511.92 square metres (5,510.44 square feet) more or less, more particularly described as Part 6 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$35,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$1,750. is being held by the Treasurer pending Council approval.
- vi. That an Offer to Purchase Tender Agreement, duly executed by 456941 Ontario Ltd. (Paul Silvestri, President) on 1992 April 24 and scheduled for closing on or before 1992 July 27 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road



limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, more particularly described as Part 9 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.

- vii. That an Offer to Purchase Tender Agreement, duly executed by 779597 Ontario Ltd. (Giulio Trulli, President) on 1992 May 5 and scheduled for closing on or before 1992 July 16 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.00 metres (39.37 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 511.8 square metres (5,509.14 square feet) more or less, being more particularly described as Part 10 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of \$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.
- viii. That an Offer to Purchase Tender Agreement, duly executed by 456941 Ontario Ltd. (Paul Silvestri, President) on 1992 May 5 and scheduled for closing on or before 1992 July 17 for the purchase of the lands situated within the Regional Municipality of Hamilton-Wentworth, being composed of Part of Lot 11, Concession 4, formerly in the Township of Barton, now in the City of Hamilton, more particularly described as being part of 410 Upper Wentworth Street, former Inverness School site, having a frontage along the easterly road limit of East 19th Street of 12.319 metres (40.41 feet) more or less, by a depth of 42.65 metres (139.92 feet) more or less, comprising a total area of 525.4 square metres (5,655.60 square feet) more or less, being more particularly described as Part 11 on Registered Plan 62R-11955, be approved and completed and the funds derived from this sale of



\$40,000. be credited to Account No. CH5X303 00102 (Reserve for Property Purchases). A certified deposit cheque in the amount of \$2,000. is being held by the Treasurer pending Council approval.

- (b) That the Purchasers as referred to in Section (a) covenant to the City to comply with the overall Grading Plan, the detailed Grading Plan and the Service Agreement in its construction on the purchased land and in the related matters set out therein as requirements of the City.
- (c) That a certified security deposit in the amount of \$3,000. be held by the Treasurer as security against completion of the grading specifications, which monies shall be returned to the Purchasers as referred to in Section (a) upon producing a grading certificate in a form satisfactory to the Building Commissioner in compliance with the terms and conditions of this Agreement.
- (d) That this land be conveyed to the Purchasers as referred to in Section (a) subject to an easement (in a form satisfactory to the City Solicitor) over the subject land for the benefit of the Vendor for the purpose of enabling the Vendor, in its discretion, to enter the land to carry out lot grading or other matters in the event the Purchaser fails to comply with the requirements of:
  - the overall Grading Plan
  - the Service Agreement and
  - the said approved detailed Grading Plan.

The Vendor may do such works as may be required so that the lot grading and other required matters are in compliance with the said requirements. The Purchaser agrees to enter into the easement at least two (2) weeks prior to closing and to register the easement on title to the land prior to the closing of the sale of this land to the Purchaser. The Purchaser agrees that the costs incurred by the Vendor in performing said works shall be deducted from the refundable security and upon release of the easement provided for below, the Vendor agrees to return any remaining monies to the Purchaser less said costs without interest or penalty and subject to the provisions on the refund set out in the Service Agreement. Notwithstanding and without limiting the foregoing, the Vendor reserves the right to apply the said security against the cost to remedy any of the default of the Purchaser under this Agreement, the Service Agreement or any other unpaid taxes or charges due the City and to take all other action to recover its costs should said costs exceed the amount



of security. The said easement will expire five (5) years after the completion of construction of a house on the land or upon written release by the City of the easement, whichever is earlier.

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

21. That the Parks and Recreation Committee be authorized to issue an "Execu-Pass" to the Members of City Council, City of Hamilton Department Heads and other individuals that the Committee deems appropriate.
22. That an agreement between the City of Hamilton and 815562 Ontario Limited (operating as "The Tiger Cat Football Club") for the use of Ivor Wynne Stadium by the Canadian Football League Franchise Team be approved pursuant to the terms and conditions as set out in Appendix "D" attached hereto in form and substance satisfactory to the City Solicitor.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 14.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch. -3. **CARRIED.**

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson  
Secretary

1992 May 19



Appendix "A" as referred to in  
Section 15 of the ELEVENTH Report  
of the Parks and Recreation  
Committee for 1992

## RATES AND FEES

### COMMUNITY RECREATION CENTRES

EFFECTIVE JUNE 1, 1992

#### SUMMER MEMBERSHIPS JUNE 1ST - LABOUR DAY

FAMILY	\$40.00	EXISTING	\$38.20
SINGLE PARENT	\$30.00	EXISTING	\$28.68
ADULT	\$25.00	EXISTING	\$24.72
YOUTH	\$10.00	EXISTING	\$8.99
SENIOR	\$8.00	EXISTING	\$5.62
DISABLED	\$8.00	EXISTING	\$3.37
REPLACEMENT	\$1.00	EXISTING	\$1.12

NON RESIDENT RATE - PREMIUM OF ADDITIONAL 50% PER CURRENT POLICY  
G.S.T. INCLUDED IN RATE

SUMMER CARDS VALID AT INDOOR AND OUTDOOR POOLS

### OUTDOOR POOLS - SUMMER

#### SUMMER SWIMMING MEMBERSHIP JUNE - LABOUR DAY

FAMILY	\$20.00	EXISTING	\$11.24
SINGLE PARENT	\$15.00	EXISTING	\$8.45
ADULT	\$10.00	EXISTING	\$6.74
YOUTH	\$5.00	EXISTING	\$3.37
SENIOR	\$4.00	EXISTING	\$2.25
DISABLED	\$4.00	EXISTING	\$2.25
REPLACEMENT	\$1.00	EXISTING	\$0.59

NON RESIDENT RATE - PREMIUM OF ADDITIONAL 50% PER CURRENT POLICY  
G.S.T. INCLUDED IN RATE

SUMMER CARDS VALID AT OUTDOOR POOLS ONLY



**OUTDOOR POOLS SUMMER**

**DAILY ADMISSIONS**

FAMILY	\$3.00	EXISTING	\$2.25
SINGLE PARENT	\$2.00	NEW CATEGORY	
ADULT	\$1.50	EXISTING	\$1.12
YOUTH	\$1.00	EXISTING	\$0.57
SENIOR	\$1.00	EXISTING	\$0.28
DISABLED	\$1.00	EXISTING	\$0.28

G.S.T. INCLUDED IN RATE

**COMMUNITY RECREATION CENTRES - SUMMER**

**DAILY ADMISSIONS**

FAMILY	\$4.40	EXISTING	\$4.40
SINGLE PARENT	\$4.00	EXISTING	\$4.00
ADULT	\$3.00	EXISTING	\$3.00
YOUTH	\$2.00	EXISTING	\$2.00
SENIOR	\$2.00	EXISTING	\$1.00
DISABLED	\$2.00	EXISTING	\$1.00

G.S.T. INCLUDED IN RATE



**POOL RENTAL RATES**

**POOL RENTAL RATES  
INDOOR/OUTDOOR**

<b>INCLUDES</b>				
<b>TWO LIFEGUARDS</b>	<b>PER HOUR</b>	<b>\$75.00</b>	<b>EXISTING</b>	<b>\$56.18</b>
<b>ADDITIONAL LIFEGUARD</b>		<b>\$15.00</b>	<b>EXISTING</b>	<b>\$10.18</b>
<b>PER HOUR</b>				

**G.S.T. INCLUDED IN RATE**

**HOT POOL RENTAL**

<b>PER HOUR</b>				
<b>1 LIFEGUARD</b>		<b>\$20.00</b>	<b>EXISTING</b>	<b>\$11.24</b>
<b>ADDITIONAL LIFEGUARD</b>		<b>\$15.00</b>	<b>EXISTING</b>	<b>\$10.18</b>
<b>PER HOUR</b>				

**G.S.T. INCLUDED IN RATE**



1992 May 26

**COMMUNITY RECREATION CENTRES**

SENIORS	\$10.00	EXISTING	\$7.00
DISABLED	\$10.00	EXISTING	\$7.00
REPLACEMENT	\$3.00	EXISTING	\$2.00
INSTRUCTIONAL	\$10.00	EXISTING	\$6.55

**ARENAS**

SENIORS	\$10.00	EXISTING	\$5.00
DISABLED	\$10.00	EXISTING	\$5.00
REPLACEMENT	\$3.00	EXISTING	\$2.00
INSTRUCTIONAL	\$10.00	EXISTING	\$7.00

NON RESIDENT RATE - PREMIUM OF ADDITIONAL 50 % PER CURRENT POLICY  
G.S.T. INCLUDED IN RATE



ARENAS - LOUNGE

ARENAS

ARENA FACILITIES

LOUNGE MEETING ROOMS  
COMMUNITY GROUPS AND THOSE  
AFFILIATED WITH ARENA FOR  
MEETINGS AND REGISTRATIONS  
YOUTH SPORTS, COMMUNITY COUNCILS

NO CHARGE

ADULT GROUPS  
PER HOUR

\$20.00

EXISTING \$11.24

YOUTH GROUPS  
PER HOUR

\$15.00

NO CATEGORY

SPECIAL EVENTS

ARENAS - MOUNTAIN,  
LAWFIELD & ROSEDALE

\$40.00

EXISTING \$22.47

SERVING ALCOHOLIC BEVERAGES  
PER HOUR



1992 May 26

ARENAS - LOUNGE

ARENAS - Cont'd

**SPECIAL EVENTS**

ARENAS - MOUNTAIN, LAWFIELD & ROSEDALE	\$50.00	EXISTING	\$44.94
SELLING ALCOHOLIC BEVERAGES PER HOUR			

**BUSINESS**

ALL ARENAS - NO ALCOHOL PER HOUR	\$35.00	EXISTING - NO CATEGORY
GENERATE FURTHER BUSINESS FOR PROFIT MAKING EVENTS		

**CARD SHOWS**

PER HOUR	\$40.00	EXISTING - NO CATEGORY
PLUS PER TABLE	\$10.00	EXISTING - NO CATEGORY

G.S.T. INCLUDED IN ALL ABOVE RATES



# ARENAS - ICE SURFACE

## SUMMER ICE RENTALS LA WFIELD ARENA

YOUTH NON PRIME	\$82.00	EXISTING	\$78.65
YOUTH PRIME TIME	<del>\$82.00</del>	EXISTING	\$78.65
ADULT NON PRIME	\$82.00	EXISTING	\$78.65
ADULT PRIME TIME	\$120.00	EXISTING	\$95.50
MINOR HOCKEY	\$70.00		

G.S.T. INCLUDED IN RATE

## SUMMER RINK SURFACES

ADULT GROUPS	\$35.00	EXISTING	\$33.71
YOUTH GROUPS	\$20.00	EXISTING	\$16.85
SPORTING GROUPS WITH ADMISSION (OR 30% OF GROSS) JR. LEVEL LACROSSE BALL HOCKEY, ETC.	\$95.00	EXISTING	\$89.88
PER HOUR			
COMMUNITY GROUPS NO ADMISSION OR REVENUE PER HOUR	\$35.00	EXISTING	\$33.71



1992 May 26

ARENAS - ICE SURFACE

*SUMMER RINK SURFACES*

REVENUE PRODUCING FOR	—\$35.00	EXISTING	\$33.71
RECOGNIZED CHARITY			
PER HOUR			

CARD SHOWS	\$50.00	EXISTING - NEW CATEGORY
PER HOUR		
PER TABLE	\$10.00	EXISTING - NEW CATEGORY

NOTE:  
CASUAL LABOUR, SET UP, CLEAN-UP, AND MISCELLANEOUS  
SERVICES MAY REQUIRE ADDITIONAL FEES TO BE CHARGED



RECREATION CENTRE

COMMUNITY ROOM RENTALS

CUMMUNITY ROOM - THOSE  
AFFILIATED WITH CENTRE  
FOR MEETING AND RECREATIONS NO CHARGE  
YOUTH SPORTS/COMMUNITY COUNCIL

ADULT GROUPS

PER HOUR	\$20.00	EXISTING	\$11.24
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MONTH GROUPS

PER HOUR	\$15.00	EXISTING	\$5.62
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SPECIAL EVENTS

BUSINESS

PER HOUR	\$35.00	EXISTING	\$28.09
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GENERATE FURTHER BUSINESS  
FOR PROFIT MAKING EVENTS



1992 May 26

COMMUNITY ROOM

CARD SHOWS

PER HOUR	\$40.00	EXISTING - NO CATEGORY
PLUS PER TABLE	\$10.00	EXISTING - NO CATEGORY

GYMNASIUM

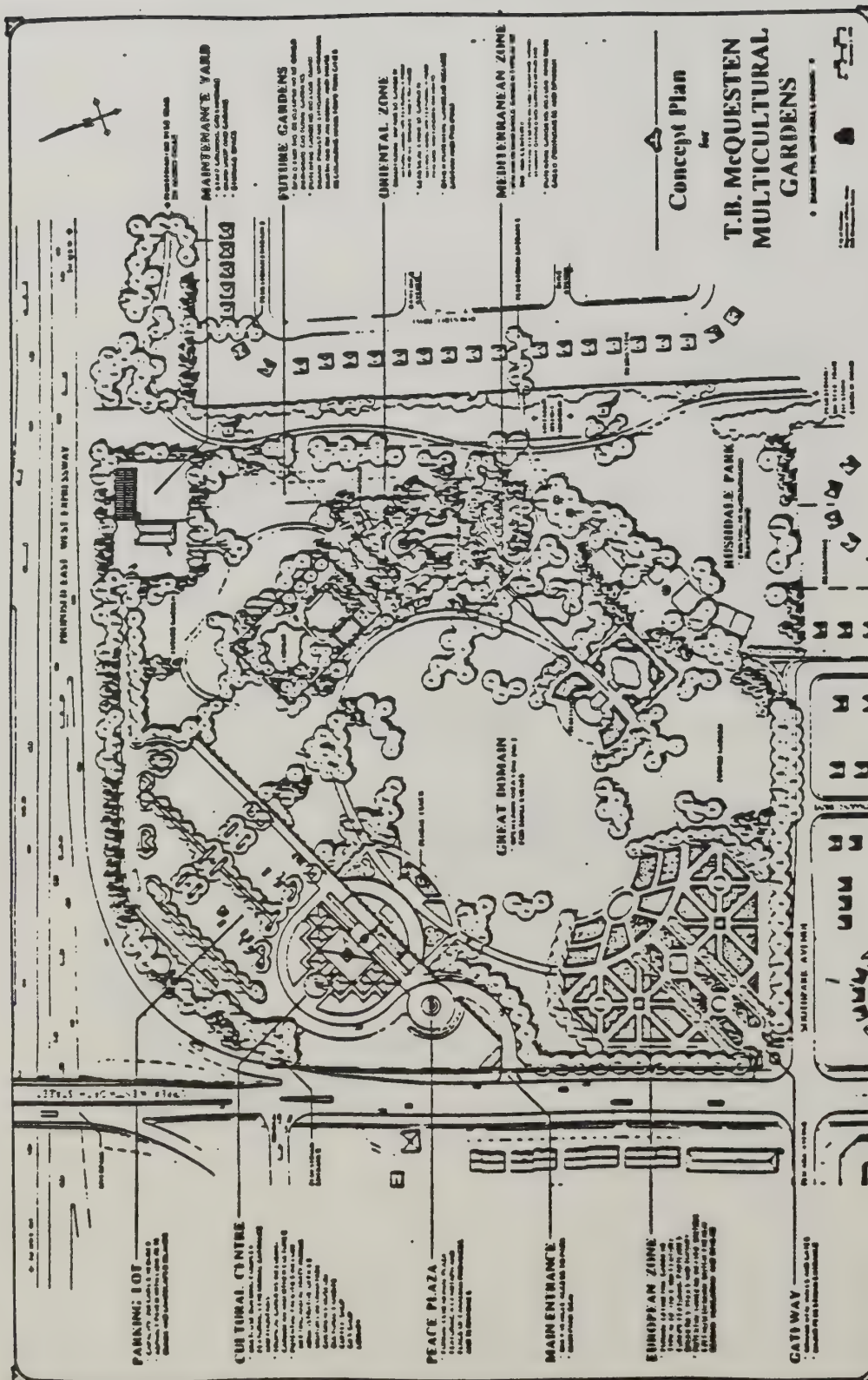
CARD SHOW

PER HOUR	\$50.00	EXISTING - NO CATEGORY
PLUS PER TABLE	\$10.00	EXISTING - NO CATEGORY

NOTE:  
CASUAL LABOUR, SET UP, CLEAN-UP, AND MISCELLANEOUS  
SERVICES MAY REQUIRE ADDITIONAL FEES TO BE CHARGED

G.S.T. INCLUDED IN ALL ABOVE RATES







CITY OF HAMILTON  
PARK AND OPEN SPACE MASTER PLAN  
REVISED TERMS OF REFERENCE

A. INTRODUCTION:

The City of Hamilton wishes to renegotiate with Moore George and Associates the terms of their previous proposal to provide consulting services to the City to undertake the development of a City of Hamilton Park and Open Space Master Plan.

Moore George and Associates shall work under the direction of the Park and Recreation Citizen's Advisory Committee and the Technical Advisory Committee. These committees have representation from Hamilton's Elected Officials, Citizens and Staff Members of various departments and agencies and will provide guidance and resource functions to the Consultant.

A collaborative, team approach will be required to facilitate the range of tasks necessary to complete the research and coordination to develop both the Master Plan and effective strategies for its successful implementation.

B. BACKGROUND

The City of Hamilton owns and manages approximately 2000 acres of developed parkland and a further 2000 acres of undeveloped park and open space lands. Improving the quality and effectiveness of our diverse park and open space resources and the services provided by the various agencies that are responsible for the management of these resources, requires that greater efforts be directed towards comprehensive planning.

Hamilton's greenspace resources include environmentally sensitive Niagara Escarpment properties, Carolinian forest tracts, Lake Ontario and Hamilton Harbour shorelines, parkettes, neighbourhood, community and City level parks, historic park sites and developed recreational sports parks.

The background information on these various sites is split amongst many different civic departments and agencies and has become difficult to retrieve, outdated and in many instances non-existent. In order to make sound planning and management decisions, the City requires a full inventory and evaluation of its' park and open space resources.

The resource inventory and evaluation data will be integrated into a computerized information management system that is designed for user friendly access by many different civic departments. This dynamic information management system, supplied by the Consultant, will provide the City with a valuable planning and management tool, capable of manipulating the inventory and related data. This system would integrate with the City's existing and proposed information systems.



**Background (continued)**

The Citizens of Hamilton are expressing a heightened awareness and concern over the various issues which govern the extent, condition and best use of our park and open space resources. In order to improve the satisfaction, understanding and involvement of Hamilton's Residents towards the attainment of their aspirations for adequate, quality park and open space resources and services, the City must undertake a full review of the standards, policies and procedures which govern these resources.

This review will extend beyond existing civic documents and policies such as the Culture and Recreation Master Plan, Vision 2000, Park Expenditure Policies, zoning by-laws and the Official Plan, to identify and integrate opportunities between the City, the Public and other Agencies involved in the management of non-civic greenspace resources.

The City of Hamilton Park and Open Space Master Plan will bridge a broad range of issues and disciplines through the development of an integrated set of policies, standards and programmes which will provide the necessary strategies and guidance to successfully acquire, develop and manage our park and open space resources to satisfy current and future demands.

**C. SCOPE OF WORK**

**GENERAL**

The intent of this invitation is to obtain a proposal from a selected Consultant to provide a complete service to the City of Hamilton for the preparation of a Park and Open Space Master Plan, as described herein.

**INVENTORY AND DATA COLLECTION**

1. The Consultant shall attend an initial meeting with the Technical Advisory Committee, to review the preliminary project programme outlined in these Terms of Reference, discuss possible changes or refinements, determine project time frame and strategies to achieve "milestones", review reporting format, establish meeting schedules and communication channels.
2. The Consultant is responsible for the co-ordination of the City of Hamilton's staff efforts in compiling a full inventory of all civic park and open space lands. To facilitate this task the Consultant shall collaborate with various Civic Departments and Agencies, review existing documents and background information and prepare strategies for the preparation and maintenance of the inventory data.



### Inventory and Data Collection (continued)

3. The Consultant shall review with the Technical Advisory Committee the strategies for completing the inventory data collection and the evaluation of the civic park and open space resources. Based upon approval of the format for data collection and evaluation, the Consultant shall implement the most effective course of action to combine the efforts of the Consultant and City Staff for the completion of the data collection. The City of Hamilton Parks Division is prepared to undertake the physical site inventory work for all City Parks, utilizing the format established by the Consultant and subject to quality control monitoring and verification by the Consultant.

City staff will compile the inventory and evaluation data in hard copy in a consistent format suitable for entry into the proposed computerized information management system.

The inventory will include the compiling and evaluation of the following data:

- extent of all civic park and open space lands
- municipal address
- background information such as special designations, site restrictions, potentials, utilities, easements
- natural and cultural features and their condition
- park classification, name, acreage, location
- cost data relating to development, maintenance
- maps, plans, photos
- population demographics, changing socio-economic forecasts
- zoning information

### INVENTORY MANAGEMENT

1. The Consultant shall evaluate the requirements of the various Civic Departments and Agencies involved in the management of our park and open space resources, for inventory data access, manipulation and management. A computerized information management software package will be provided that is capable of integrating with the City's existing and proposed (i.e. Parcil G.I.S.) information systems.

The system will have multi-application, multi-tasking capabilities, a graphical user interface and a data bank capable of displaying and manipulating the range of data included in the inventory.

2. The Consultant shall review with the Technical Advisory Committee the results of their research and based upon this review provide the programme necessary to manage and utilize the inventory data.



## MASTER PLAN STUDY

1. The Consultant shall develop in concert with civic staff a mission statement which will define more clearly the role of the parks department in terms of goals, principles and policy statements.

A long list of principles will be established with respect to ideas such as sustainable development, the role of parks in the natural ecological process, the protection of environmentally sensitive lands, promotion of environmental policies for storm water management, urban forestry, naturalization, wetland and wildlife habitat protection. Principles developed will also consider the role of parks for the average citizen, what provisions should be included for equitable access, disabled accessibility, public safety and the enhancement of cultural, historical and recreation opportunities. Recommended policies will be established and goals will be clearly outlined.

2. The Consultant shall co-ordinate the efforts of civic staff in reviewing the City's Official Plan park classification/designation system. Based upon an evaluation of the City's standards for each classification and an analysis of supply, shortage/surplus and a qualitative evaluation at the neighbourhood, community, Ward and City wide levels, the Consultant shall recommend classifications for all civic park and open space lands.
3. In conjunction with the recommended park and open space classifications, public and City Staff perspectives, the Consultant shall review the City of Hamilton Official Plan, Neighbourhood Plans and zoning By-Laws to establish the range of permissible facility developments and programmed activities for each classification of park and open space lands.

The Consultant shall make recommendations for the possible amendment of the Official Plan and Zoning By-Laws incorporating the classification system for parkland and open space and their range of permissible uses.

4. The Consultant shall evaluate the City's parkland acquisition and development funding strategies and policies and make recommendations for enhancing existing programmes and implementing additional strategies and policies.

This evaluation process shall involve a review of the following:

- Existing 5% parkland dedication fund and the City of Hamilton Park Expenditure Policies
  - Capital Development Charges
  - 2% commercial and industrial parkland dedication
  - 1 Hectare per 300 dwelling units
  - Developer responsibilities for parkland upgrading via subdivision agreements
5. Telephone survey: The consultant shall
    - compile a survey format for use by City Staff
    - evaluate and include survey data in the report



D. MASTER PLAN DOCUMENTATION

1. The Consultant shall document all findings and make the following submissions:

a) Inventory and data Collection:

- Report - provide five (5) copies of a draft report
- provide one (1) camera ready copy of final report

b) Master Plan Document

- Interim Report - provide five (5) copies
- Draft Master Plan - provide five (5) copies
- Final Master Plan - provide five (5) copies

E. FUNDING

A funding limit of \$60,000.00 has been established for the development and implementation of the Park and Open Space Master Plan.

F. MEETINGS

The meetings to be attended during the development of the Master Plan will include:

- initial orientation meeting
- 3 progress meetings with each of the Citizens Parks and Recreation Advisory and Technical Committees. For convenience meetings with these 2 committees will be scheduled to occur on the same days
- 2 Public meetings with evening sessions to receive input and present recommendations to the Public
- 1 morning meet to present the Master Plan to, and seek approval from the appropriate Standing Committee of Council
- Should any additional meetings be required, the Consultant will be compensated according to the hourly rates supplied



**TERMS AND CONDITIONS FOR A LICENSED  
AGREEMENT WITH 815562 ONTARIO LIMITED OPERATING  
AS THE "HAMILTON TIGER CATS FOOTBALL CLUB" (The Club)**

**1. TERM**

A three (3) year term commencing in 1992 will be negotiated for the playing of training camps, pre-season, regular season and post season football games from May to December of each year.

**2. CITY OF HAMILTON CHARGES FOR THE TERM OF THIS AGREEMENT**

**(i) Pre-Season And Regular Season Games**

The license to pay for the pre-season and regular season the following license fee consideration per game.

- (a) A base rate of \$5,000.00.
- (b) Plus 10% of gross ticket sales beyond the \$400,000.00 level to a maximum of \$10,000.00 for each game.

**(ii) Play-Off Games**

The license to pay for the play-off season a license fee consideration per game.

- (a) A base rate of \$10,000.00.
- (b) Plus 10% of gross ticket sales beyond the \$400,000.00 level to a maximum of \$15,000.00.

\*The above-noted base rates and gross ticket sale levels exclude applicable taxes, P.S.T. and GST charges.

**(iii) Training Camps And Practice Sessions**

The licensee to pay for the training camp and practice sessions a license fee consideration of \$5,000.00 for each of the three years of this contract.

**3. FOOD AND BEVERAGE SERVICES**

The licensee to pay for the food and beverage a licensee fee consideration of \$2,000.00 for each of the three years of this contact.



4. **PROGRAM SOUVENIR AND NOVELTY SALES**

The licensee shall have exclusive rights to sell game programs souvenirs and novelties for all events related to or sponsored by the Club. The Club will be responsible for all costs related to such sales of merchandise.

5. **DISPLAY ADVERTISING, SPONSORSHIP AND PROMOTIONS**

The Club shall have exclusive rights to place display advertising signage, event sponsorship and associated promotional revenues related to or sponsored by the Club. The Club shall position the City ahead of other levels of Government and private sector for advertising and promotion opportunities.

6. **RADIO AND TELEVISION RIGHTS**

The Club shall have exclusive rights to any and all radio and television broadcasting of the football games in Ivor Wynne Stadium. Further, the Club shall be responsible for all costs related thereto. The Club shall position the City advantageously in radio and television broadcasts.

7. **GAME SCHEDULE**

The Club will be given preference for all game day scheduling and will include preference for stadium use on the day prior to the game.

8. **TICKET SALES**

The Club shall have exclusive responsibility for all ticket sales. Ticket prices shall be fixed by the Club provided the City be notified of ticket prices. Stadium notices shall contain the following clause. Holder of ticket voluntarily assumes all risks and danger incidental to the admission to the Ivor Wynne Stadium and incidental to any event for which this ticket is issued, whether occurring prior to, during or subsequent to the actual game, and holder releases the Football Club and The City of Hamilton and the participants in the event from any liability thereof howsoever and wherever caused and whether caused by negligence or not. Admission is subject to compliance with all laws and regulations. Failure to comply may result in non-admission or ejection.



9. **GENERAL CLAUSES**

The license agreement executed between the City and the Club will include clauses to comply with:

- 9.1           The Club's responsibility for all applicable Federal, Provincial and Municipal-Regional Laws.
- 9.2           The Club's responsibility to indemnify the City against amounts of any and all damages caused to Ivor Wynne Stadium/Brian Timmis Stadium caused as a result of using these facilities. All indemnities shall survive any termination or expiry of this agreement.
- 9.3           The Club's responsibility for Property and Public Liability Insurance including Liquor License Act Liability endorsement for food, beverage and souvenir concessions.
- 9.4           The Club's indemnity for the city against any responsibility for loss however caused.
- 9.5           The City's covenant for Stadium maintenance, repair, staffing (except concessions) \*police protection.
- 9.6           The Club's responsibility for electronic security and electronic scoreboard.
- 9.7           The City's responsibility for lease-hold improvements to buildings and non-chattels to all stadium facilities.
- 9.8           The Club's responsibility for concession equipment, maintenance and upkeep.
- 9.9           The City's responsibility for providing a satisfactory public address system.



10. **CHANGE OF OWNERSHIP**

The Club may without prior written consent of the City of Hamilton transfer all business undertaking assets and goodwill to a non-profit community based Corporation.

The lease shall not at any time be assigned, transferred or sublet in whole or in part without written consent of the City, such consent would not be unreasonably withheld.



## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1992 and respectfully recommends:

1. That approval be given for the sale of alcoholic refreshments at the opening reception of the Art in the Square exhibit on 1992 June 6, Lloyd D. Jackson Square (former skating rink area).
2. (a) That a purchase order be issued to Frank Bufalino & Sons Construction Ltd., St. Catharines, Ontario, in the amount of \$120,803. for the construction of the new washroom and shower facilities next to the existing Chedoke Pool.  
  
(b) That approval be subject to: the conditions stipulated by the Board of Education in granting permission to construct the above facility on school land, being satisfactory to the City Solicitor. The conditions stipulated are that an agreement be drawn up by the Superintendent of Finance and Treasurer, in co-operation with the Board's Solicitor, outlining the City's responsibilities and final size of the project before construction starts.  
  
(c) That a contract be entered into, satisfactory to the City Solicitor.

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 May 26**



## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TENTH Report for 1992 and respectfully recommends:

1. That the City not oppose the issuance of a Heritage Permit to allow for the erection of a proposed temporary sign at 108-112 James Street North, subject to the terms contained in Appendix "A" as attached, and to the satisfaction of the City Solicitor.
2. That the Building Commissioner be authorized to issue demolition permits for:
  - (a) 50 Imperial Street
  - (b) 1184 Garth Street
  - (c) 1491 Upper James Street
  - (d) 1493 Upper James Street
  - (e) 1499 Upper James Street
  - (f) 1517 Upper James Street
  - (g) 1523 Upper James Street
3.
  - (a) That By-law No. 92-054 designating portions of the North End East and West Neighbourhoods as a Community Improvement Project Area for the purpose of implementing the P.R.I.D.E. Anti-Recession Programme be amended in order to include all of the proposed Project elements within the boundaries of the Community Improvement Project area as per the map attached as Appendix "B"; and,
  - (b) That the City Solicitor be authorized to prepare the necessary By-law to amend the North End East and West Community Improvement Project Area in accordance with (a) above for submission to City Council.



4. (a) That the comments contained in the report "City of Hamilton Comments on Environmental Assessment Process Associated with Spectrum Management Activities", attached herewith and marked Appendix "C", be endorsed; and,  
(b) That the City Clerk be directed to advise the Federal Minister of Communications of City Council's endorsement.
5. (a) That approval be given to application 25CDM-91002, Angelo Giacomelli, et. al., owners, to establish a draft plan of condominium located on the south side of Homewood Avenue, east of Dundurn Street South, subject to the following:  

That the approval apply to the plan prepared by A. J. Clarke and Associates Limited dated 1991 April 9, showing a 4-plex building and 4 parking garages.
6. (a) That the originally approved Community Improvement Plan for the Central/Beasley Community Improvement Project Area be modified by approving the Addendum, Appendix "D" (previously distributed to members of Council under separate cover) to implement the PRIDE Housing Intensification (PRIDE H.INT.) Programme; and,  
(b) That the Addendum to the Community Improvement Plan be submitted to the Ministry of Municipal Affairs for approval; and,  
(c) That the City Solicitor be authorized and directed to prepare the requisite By-law.
7. (a) That a purchase order be issued to Johnson Sustronk Weinstein & Associates, Richmond Hill, in the amount of \$119,278.98 including all applicable taxes and a contingency allowance of \$13,088.84, for consulting services for the Central Beasley Pride H.I.N.T. Programme, being the lowest of four proposals received in accordance with specifications issued by the Manager of Purchasing and Vendor's submission.  
(b) That this expenditure be financed through Central Beasley PRIDE H.I.N.T. Programme Account No. CF5200 429102003.  
(c) That a contract be entered into satisfactory to the City Solicitor.



8. That the City Solicitor be authorized and directed to prepare a by-law to amend By-law No. 84-252 respecting Conveyance of Land for Park Purposes in order to provide an exemption to the 5% Land Dedication fee where a non-profit group builds residential buildings in which people are housed, not-for gain, by adding the following as Section 7:

Sections 2 and 3 shall not apply to land that is developed for residential purposes, used for non-profit, not-for gain purposes, and for which people are lodged or housed without remuneration.

9. That approval be given to City Initiative 92-A, Regional Municipality of Hamilton Wentworth, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit development of the subject lands for single-family detached dwellings, in conjunction with the development of adjoining lands to the south, for property located at the rear of 89 Stone Church Road East, as shown on the attached map marked as Appendix "E", on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be Directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
10. That approval be given to amended Zoning Application 92-06, Lyle & Lorna Hostein, owners, requesting a change in zoning from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District to permit the creation of a new lot for a single-family dwelling, for the property located at 595 Rymal Road West, as shown on the attached map marked as Appendix "F" on the following basis:
  - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District;



- (b) That the "B" (Suburban Agriculture and Residential, etc.) District regulations, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block "2" be modified to include the following variance as a special requirement:
    - (i) That notwithstanding Section 8(4) of Zoning By-law No. 6593, a minimum lot width of at least 18.29 m shall be permitted; and,
  - (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1272, and that the subject lands on Zoning District Map W-27D be notated S-1272;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map W-27D for presentation to City Council; and,
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
11. (a) That approval be given to Official Plan Amendment No. 111 to implement the Sheldon and Mewburn West Neighbourhood Plan by redesignating lands located in the centre of the neighbourhood; from "Open Space" to "Residential", "Major Institutional" to "Open Space"; and, "Open Space" to "Major Institutional" on Schedule "A" Land Use Concept, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That the proposed map 1, plan and policies for the Sheldon and Mewburn West Neighbourhoods, Appendix "G" (previously distributed to members of Council under separate cover) be adopted by Council.
12. That approval be given to Zoning Application 91-67, West Highland Baptist Church, owner, for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, to permit future multiple family development, for lands located on the east side of Garth Street, in the area between Rymal Road West and Claudette Gate, municipally known as the southerly portion of 1605 Garth Street, as shown on the attached map marked as Appendix "H", on the following basis:



- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;
- (b) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

that Section 10E(2)(a)3. of Zoning By-law No. 6593 shall not apply.

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1273, and that the subject lands on Zoning District Map W-17D be notated S-1273;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17D for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

13. A. That approval be given to amended Zoning Application 91-54, Antony C. Dabner and David D. Hill, owners, for a modification to the established "K" (Heavy Industry, etc.) District regulations, to permit the established two-family dwelling, on property located at 276 Sanford Avenue North, as shown on the attached map marked as Appendix "I", on the following basis:

- (a) That the "K" (Heavy Industry, etc.) District regulations as contained in Section 17 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 17.(1) of By-law No. 6593, a two-family dwelling shall be permitted only within the existing building;
  - (ii) That notwithstanding Section 18A.(7) of By-law No. 6593, the two required parking spaces shall have dimensions of not less than 2.64 m wide and 6.0 m long.



- (b) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S-1274, and that the subject lands on Zoning District Map E-21 be notated S-1274;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-21 for presentation to City Council;
  - (d) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has acquired an adjoining parcel of land to the north (measuring 12.0 ft. x 50.26 ft.) to provide for the two required parking spaces. As the required adjacent parcel is part of a City alley, the applicant shall follow the usual alley closing and sale procedures to acquire the said parcel.
14. That the Planning and Law Department staff be directed to prepare for and attend the Ontario Municipal Board hearing scheduled for a Committee of Adjustment application A-91-172, 64 Fairholt Road South and 85 Dunsmure Road regarding an application to increase the present site total of 14 residents to 17 for a residential care facility.
15. That leave be granted to introduce the following Bills:
- (a) Bill C-56 A By-law to designate as a Heritage Conservation District the area comprised of St. Clair Boulevard (between Delaware Avenue and Cumberland Avenue)
  - (b) Bill C-57 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal No. 322-330 Charlton Avenue West
  - (c) Bill C-58 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1158 Upper Wentworth Street



1992 May 26

- (d) Bill C-59 A By-law to amend By-law No. 84-252 respecting Conveyance of Land for Park Purposes

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello  
Secretary  
1992 May 20



Appendix "A" referred to  
in Section 1 of the Tenth  
Report of the Planning and  
Development Committee for 1992

1992 May 26

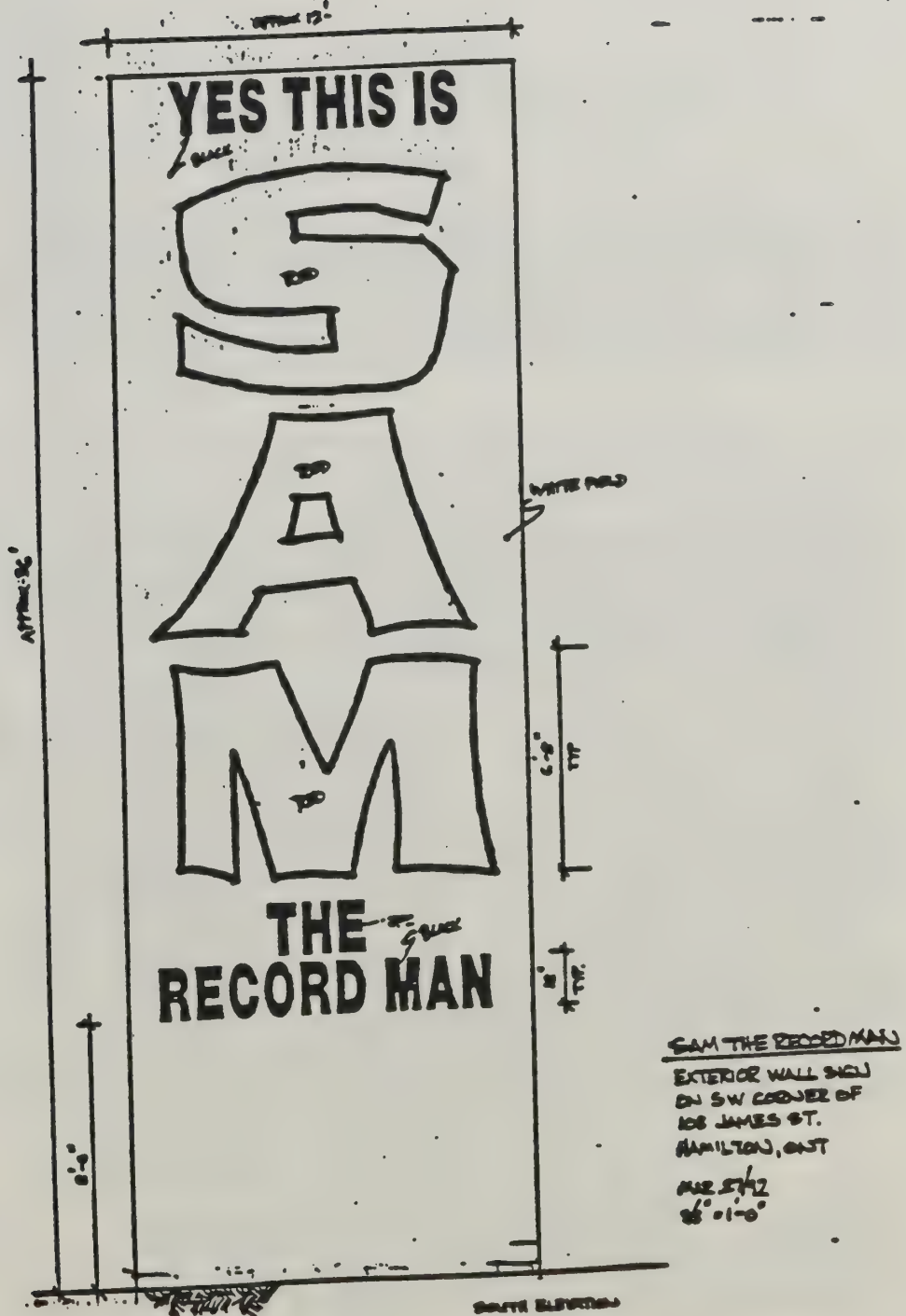
**SCHEDULE "A"**

City Council hereby grants its consent to the application by Sniderman Radio Sales and Service Limited (owner of 108-112 James Street North), for the issuance of a heritage permit under section 33 of the Ontario Heritage Act, to permit an alteration to 108-112 James Street North, designated by By-law No. 90-255, registered as Instrument No. 060789, which alteration will consist of the erection of a temporary sign upon the Tivoli Theatre located at 108-112 James Street North, Hamilton, upon the following conditions:

- (1) the sign shall be a temporary sign which shall be taken down upon the conclusion of the restoration of the above building, or a period of one year from the date Hamilton City Council authorizes this consent, whichever is earlier;
- (2) the consent for the temporary sign may be extended by Hamilton City Council on the terms and conditions Council deems as necessary upon application by the owner;
- (3) the sign, as proposed in a plan received from the applicant, is approved subject to the usual regulations for signs and subject to the following matters required by L.A.C.A.C.:
  - (a) maximum size: 12' wide by 36' high;
  - (b) colours: black and red letters on white field, as shown on attached drawing;
  - (c) lettering: as shown on attached drawing;
  - (d) location: south facade with minimum setback of 1' from south-west corner of building;
  - (e) building material: 3/4" plywood;
  - (f) method of securing same to the building facade:
    - 1/4" angle irons bolted to wall at mortar joints with 3 1/2" lag screws;
    - minimum 1" space between back of sign and face of brick masonry;
    - minimum of 6" above ground and supported on legs or by other means allowing for sufficient air circulation.
- (4) Hamilton City Council may require by Notice to the owner that the sign be removed by the owners at any time prior to the dates contemplated in (1), above;
- (5) the owner shall remove the sign at his own expense upon the expiry of the time periods in (1), above, or at the request of Hamilton City Council pursuant to (4), above;
- (6) where the owner has failed to comply with (5), above, the City of Hamilton may remove the sign and the costs for same shall be paid upon demand by the owner or added to the owner's municipal tax account with the City;
- (7) the owner shall enter into an agreement with the City of Hamilton in a form satisfactory to the City Solicitor accepting the foregoing conditions, assuming the obligations outlined above and providing the City with a licence to enter the land to remove the sign, if necessary, such agreement to be registered on title to the property by the owner, prior to proceeding with the said alteration.



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Construction of sign: plywood with black and red (SAM) letters on a white background.



1992 May 26

**NORTH END EAST AND WEST COMMUNITY  
IMPROVEMENT PROJECT AREA**





## APPENDIX "A"

## COMMENTS ON THE CONSULTATION PROCESS

1. Description of the Policy for Consultation

In applying for a radio license, an applicant must successfully undertake the Federal Environmental Assessment Process, specifically in addressing the placement of the antenna and antenna structures related to the radio operation. One component of the process places the onus on the applicant to consult with the local municipality (or land-use authority) to provide the municipality with "an opportunity to comment on a proposed antenna structure and site". The applicant then provides the Federal Ministry of Communications with a statement (on a form letter supplied by the Minister) that the municipality has been consulted.

If, during the consultation process, the applicant and the municipality cannot agree, both parties are to submit to the Federal Government their respective concerns and positions. The final decision will be rendered by the Minister of Communications.

It should be noted that the proposed policy does not require the applicant to consult with the municipality. In fact, the proposed policy clearly states that the applicant will have to bear any and all consequences for not consulting with the municipality (up to and including revocation of the license issued). The required statement from the form letter to be submitted to the Minister contains an option of "non-consultation" on the part of the applicant.

2. City of Hamilton Regulationsa) Official Plan

There are no specific policies in the Official Plan pertaining to radio antenna or structures. However, should the antenna be placed on land designated "RESIDENTIAL" on Schedule "A" - Land Use Concept, the following policy would have to be complied with:

"C.7.1 In the development of new RESIDENTIAL areas and, as far as practicable, in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of RESIDENTIAL amenity:

viii) Other similar actions or matters as Council may deem appropriate."

b) Zoning By-law

Under Section 3(4) of the City's Zoning By-law, a radio antenna attached to a principle building is considered to be a use whose height is unrestricted. An antenna not attached to the principle building must meet the setback requirements of the particular zoning district and may be located in the rear



A-2

yard only. The height, again, is unrestricted. An antenna located on a vacant lot must be located in accordance with the yard setback requirements of the particular zoning district in which the antenna is located.

3. Comments

Consultation with the municipality involved in the placement of new radio antennae and structures provides municipal officials and Council with an opportunity to have local concerns addressed. For these reasons, the principle of consulting with municipalities can be supported.

However, there are concerns with the specific process proposed by the Federal Government. Although the policy states that the consultation with the municipality is required, the applicant can choose not to do so. In fact, the statement of consultation (required to be submitted with the license application) contains an option in which the applicant may elect not to consult the municipality and bear any consequences of the non-consultation. The provision of this specific option provides every applicant with the opportunity to ignore the municipal land-use regulations by electing not to consult with the municipality. The option of non-consultation cannot be supported.

Therefore, the Federal Government should consider revising the consultation process to remove the option of non-consultation. In this regard, municipal concerns would be addressed prior to the formal application for the license. The advantages to this process are twofold: first, the municipality engages in consultation with the applicant to address any issues that may arise; and, second, both the municipal and federal governments are assured that the land use matters have been taken into account, thereby eliminating the possibility of remedial action after the issuing of the license (which can be both costly and time consuming).

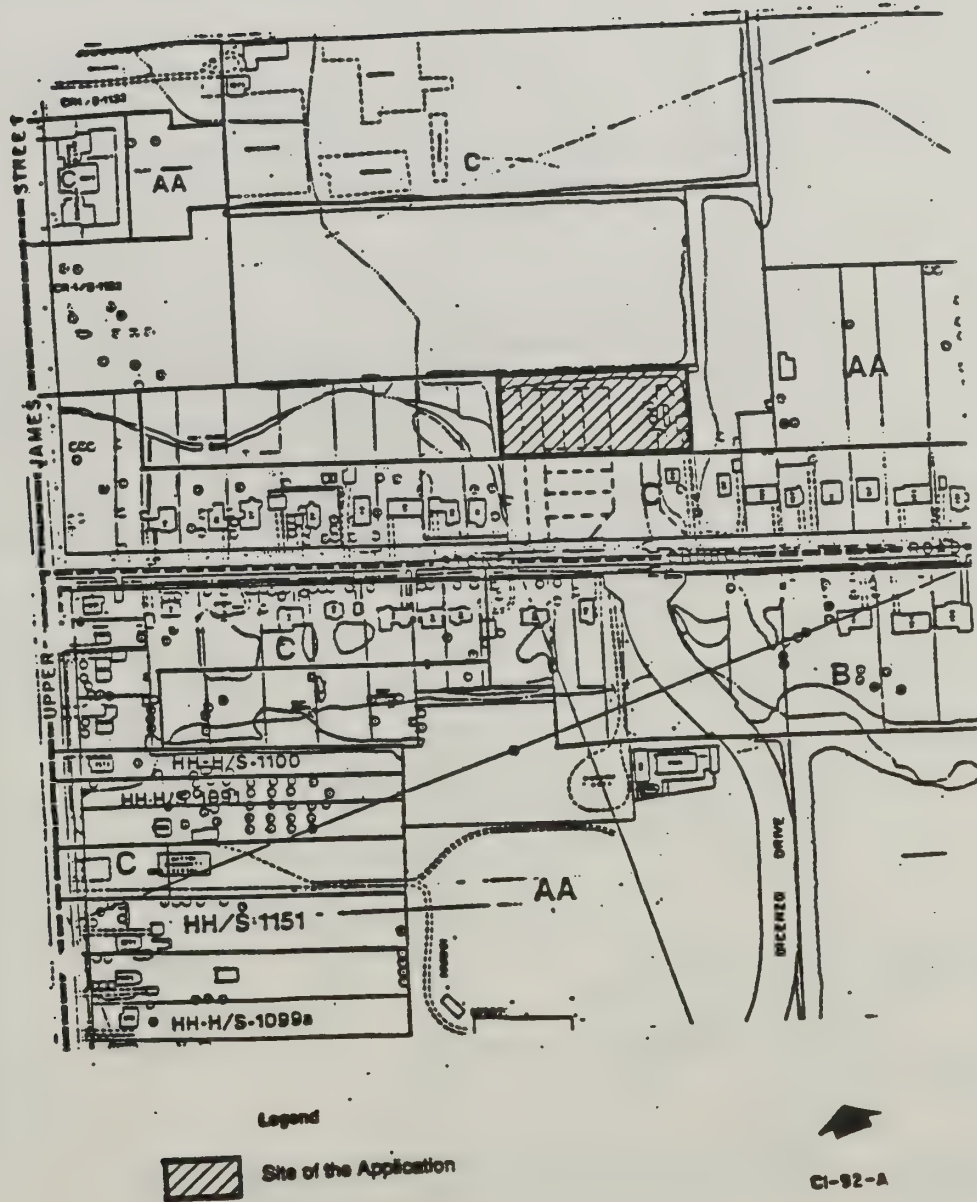
4. Conclusion

On the basis of the foregoing, it would be appropriate to request the Federal Ministry of Communications to revise the consultation process to incorporate the above concerns.



Appendix "E" referred to  
in Section 9 of the Tenth  
Report of the Planning and  
Development Committee for 1992

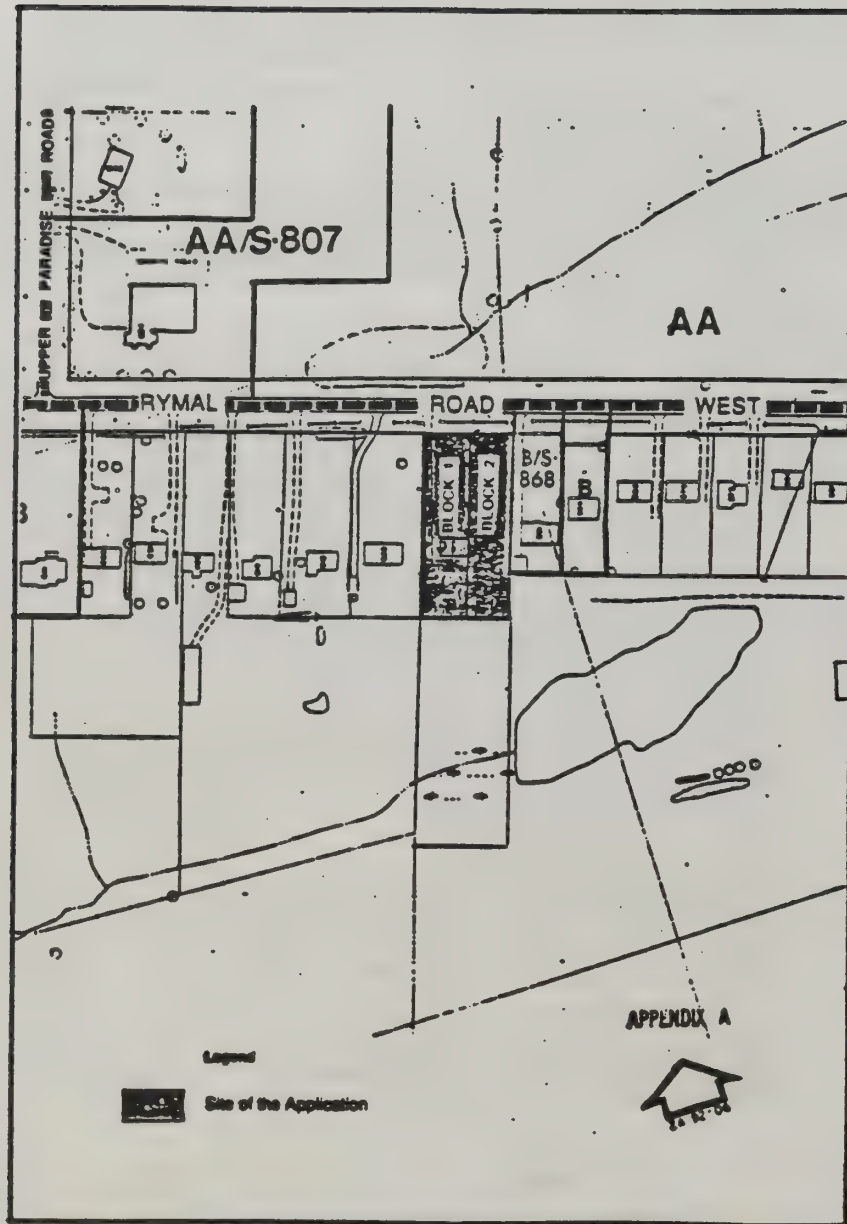
1992/May 26





1992 May 26

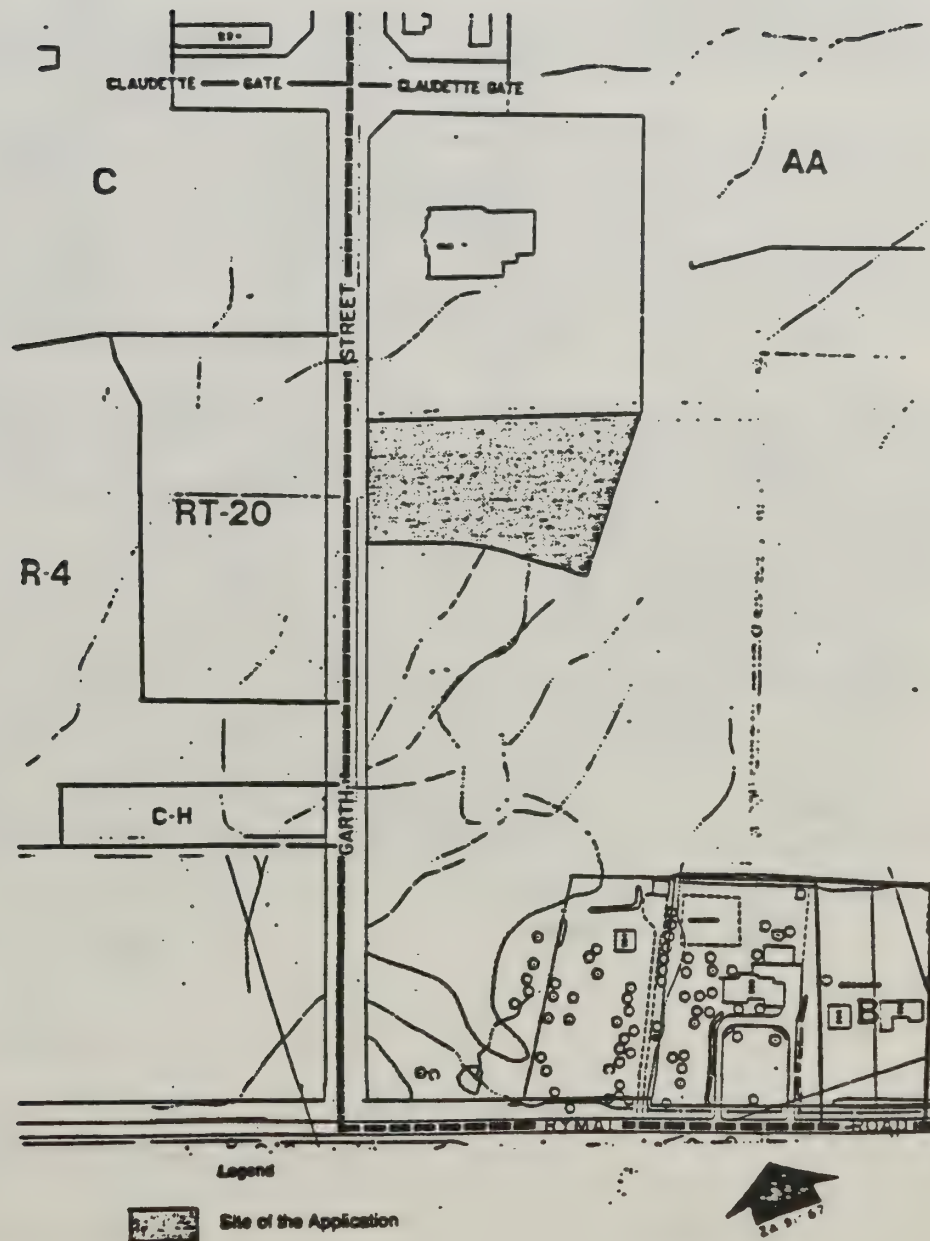
Appendix "F" referred to  
in Section 10 of the Tenth  
Report of the Planning and  
Development Committee for 1992





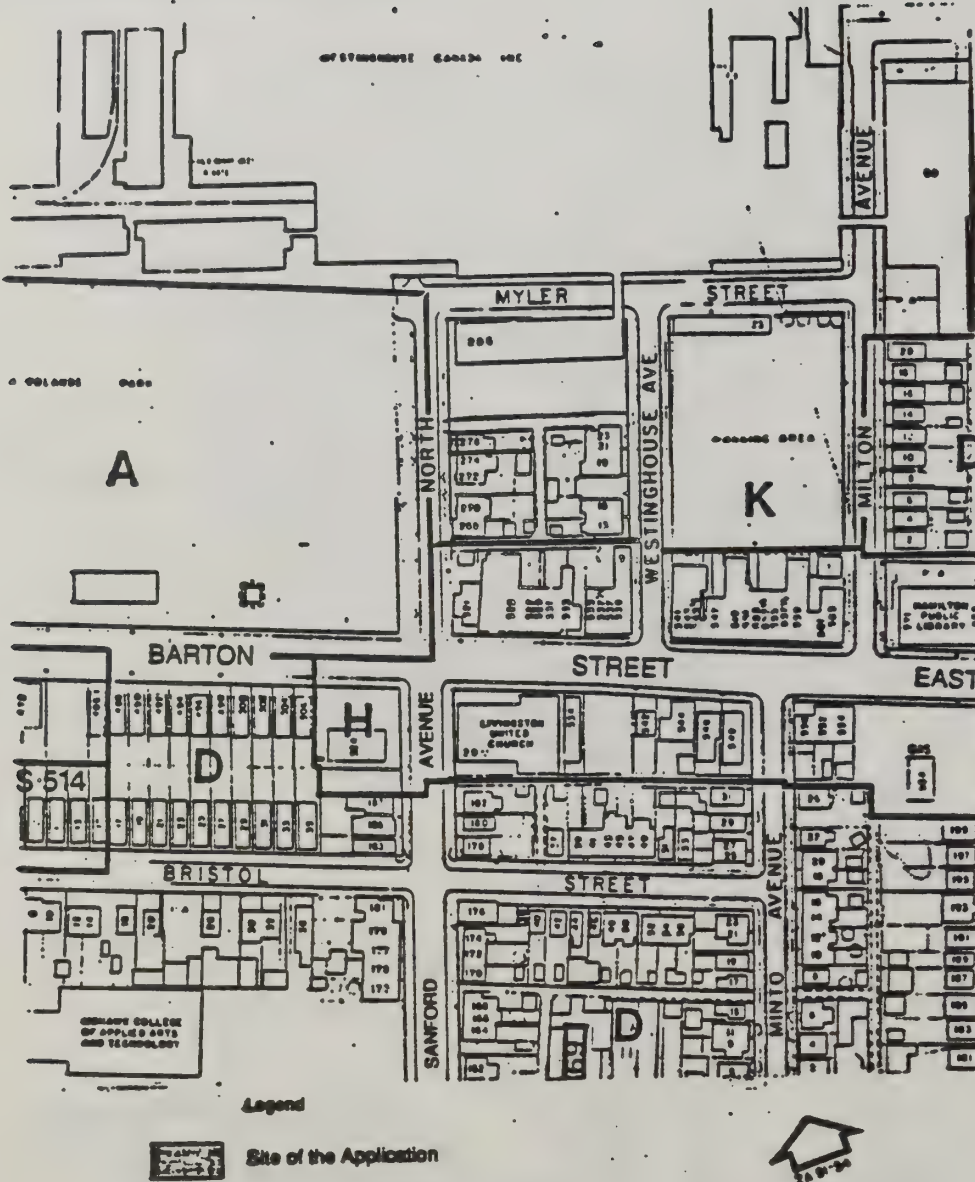
1992 May 26

Appendix "H" referred to  
in Section 12 of the Tenth  
Report of the Planning and  
Development Committee for 1992





1992 May 26





## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. That a purchase order be issued to York Applied Systems, Mississauga, in the amount of \$75,628. including all applicable taxes, being the lowest of six quotations received, to provide annual service to the tower centrifugal water and ice chillers at Copps Coliseum during 1992, 1993 and 1994 in accordance with specifications issued by the Manager of Purchasing Vendor's quotation and that this expenditure be financed through Equipment Repair Account No. CH57101 46035.
2.
  - (a) That the repairs to the Rescue Body and Compartments, Replacement of the Body Frame and Body Panels, Bottle Racks, Installation of Stainless Fasteners and Hardware, Sliding Trays, Insulated Crew Cab with 40,000 B.T.U. Heater, Exhaust Fans and Seating, and Painting as required to Fire Department Rescue Unit #9 (Vehicle #1672) in the amount of \$42,000. to Paling Incorporated, the lowest of two tenders, be approved.
  - (b) That this expenditure be charged to Account No. CH 5X522 00103 Reserve for Major Vehicle Repairs.
  - (c) That the total repair cost of \$42,000. plus taxes to Fire Department Rescue Unit #9 (Vehicle #1672) be added to the original cost (being \$69,875.12) of the Rescue Unit #9 (Vehicle #1672) for depreciation purposes.

Motion to Refer Back - Lost

Recorded vote on Section 2.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -11.

NAYS: Aldermen Copps, Wilson. - 2.

**CARRIED.**



3.
  - (a) That the repairs to the Hose Body and Compartments, Walk Through and Battery Boxes, Cab and Chassis and Body Wiring to Fire Department Pumper #16 (Vehicle #1670) in the amount of \$37,230. to Paling Incorporated, the lowest of three tenders, be approved.
  - (b) That this expenditure be charged to Account No. CH 5X522 00103 Reserve for Major Vehicle Repairs.
  - (c) That the total repair cost of \$37,230. plus taxes to Fire Department Pumper #16 (Vehicle #1670) be added to the original cost (being \$133,581.59) of the Pumper #16 (Vehicle #1670) for depreciation purposes.

Motion to Refer Back - Lost  
Recorded vote on section 3

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -11.

NAYS: Aldermen Copps, Wilson. - 2.

**CARRIED.**

4. That Schedule "A" of By-law 92-118 be replaced to reflect changes in the total assessed value of the real property used as the basis for computing business assessment from \$1,077,573. to \$1,092,621. and the mill rate for the special charge from 55.0589 to 54.3281.
5. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the two fund-raising events being held by the Hamilton Beach Rescue Unit Association at their Club at 316 Beach Boulevard on 1992 June 13 and 19, and has no objection to the issuance of a Temporary Extension of their Liquor Licence to allow alcohol to be served and consumed on the outdoor premises.
6. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit being granted to the Earthsong Festival being held 1992 July 1 - 5, Princess Point/Cootes Paradise.



7. That approval be given to the action taken by the City Clerk in authorizing the Ride for Sight Committee to use the City Hall forecourt and related equipment for their Tenth Annual National Fundraising Ride for Sight on Tuesday, 1992 May 12 from 1:15 - 1:45 p.m.
8.
  - (a) That the Croatian Democratic Union of Hamilton-Wentworth be granted permission to use the City Hall forecourt and related equipment on Saturday, 1992 May 30 from 2:00 - 3:00 p.m. to celebrate the first anniversary of the Croatian State.
  - (b) That permission be granted to the Croatian Democratic Union of Hamilton-Wentworth to fly the Croatian flag at City Hall on Saturday, 1992 May 30.
  - (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
9. That the Citizens Expressway Committee be granted permission to use the City Hall Forecourt on Friday, 1992 June 19th at 7:00 o'clock p.m.
10. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 May 13, attached herewith and marked Appendix "A", be approved.
11.
  - (a) That the closing date for the purchase from the City of 1100 Limeridge Road East by the Municipal Non-Profit (Hamilton) Housing Corporation be extended from the scheduled date of 1992 May 14 to 1992 September 29.
  - (b) That interest be charged on the purchase price of \$570,000. from 1992 May 14 to the actual closing date, based on an average of the prime rate for the period of the extension.
  - (c) That the accrued interest be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).
12. That the following three persons be appointed to fill the current vacancies on the Keep Hamilton Clean Committee:
  - (a) Jack R. Brown (term to expire 1992 December 31)



- (b) Bob Jaggard (term to expire 1992 December 31)
- (c) James Monahan (term to expire 1993 December 31)
- 13. That Ramanath (Ram) Mulki Kamath be appointed to fill the current vacancy on the Hamilton Civic Hospitals Board of Directors for a term to expire 1994 December 31.
- 14. For the information of the members of City Council, the Finance and Administration Committee appointed Milena Balta to serve on the English Language Sub-Committee for a term to expire 1994 November 30th.
- 15. (a) That the City Solicitor be directed to amend the current lease Agreement between Burton Hubbard, Marguerite Hubbard and the City of Hamilton respecting the Farmers' Market Coffee Shop to include Corrado Belacca as an added licensee; and,  
  
(b) That the Agreement be conditional upon all three licensees remaining active operators of the Coffee Shop.
- 16. That the City Solicitor be authorized and directed to amend Market By-law 81-180 to provide for the following hours of operation for the Hamilton Farmers' Market, to become effective 1992 June 01.
  - (a) Tuesday and Thursday 7:00 a.m. - 6:00 p.m.  
Friday 9:00 a.m. - 6:00 p.m.  
Saturday 6:00 a.m. - 6:00 p.m.
  - (b) Saturday stallholder unloading 3:00 a.m.
- 17. That Section 18 of the Fifth Report for 1991 of the Finance and Administration Committee adopted by City Council at its meeting of 1991 March 12 regarding unauthorized encroachment in the Hamilton Farmers' Market, be rescinded, as it is felt violations regarding unauthorized encroachments are adequately addressed in current Market By-law 81-180.



18. (a) That the City of Hamilton recommend to the Government of Ontario and to the Ontario Municipal Employees' Retirement System (OMERS) that the funds contributed to the OMERS System be utilized for their stated pension purposes and priorities, and
  - (b) That the City of Hamilton recommend to the Board of OMERS that any funds contributed by the City of Hamilton or its employees not be utilized for other specific economic development purposes and priorities without a full consultation process with member municipalities and the concurrence of those municipalities to the proposal.
19. That the following resolution from the Town of Newmarket respecting a Provincial proposal to invest funds from OMERS be received:

BE IT RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

THAT the Council of the Town of Newmarket advise the Province of Ontario that it strongly opposes any proposal to invest funds from the Ontario Municipal Employees Retirement System with any purpose, priority or goal other than to fund the pensions of the contributors;

AND THAT the Province of Ontario be advised that the Town of Newmarket specifically opposes the proposal to use OMERS funds to invest in any long term growth industries through a crown corporation as a part of an economic renewal strategy;

AND THAT the Town of Newmarket endorse the efforts of the OMERS Board to resist the proposal of the Provincial Government to use the OMERS pension fund to invest in growth industries in Ontario through a crown corporation and that the OMERS Board be so advised.

AND THAT this resolution be circulated to all Ontario Municipalities with a population over 20,000;



AND THAT the Premier of Ontario, the Minister of Municipal Affairs, Mr. Charles Beer, M.P.P. and The Association of Municipalities of Ontario be so advised.

20. That the following resolution from the City of Etobicoke respecting the use of OMERS to fund Provincial Industrial Strategy, be received:

WHEREAS the Ontario Government will probably announce in its upcoming budget the formation of an Ontario Investment Fund (O.I.F.) derived from monies from a wide variety of public sector pension funds; and

WHEREAS many of these public sector employees pension funds (such as OMERS - The Ontario Municipal Employees' Retirement System) already heavily invests in Ontario real estate, equities, bonds and other assets; and

WHEREAS any government funding for selecting industrial/commercial winners such as the Bricklin Project in New Brunswick or dozens of different projects funded by the Alberta Heritage Fund have usually failed; and

WHEREAS the Ontario Government has not made a solid business case for this proposal in terms of evaluating risk/return ratios, the absence of a long term investment management team in place, contributors bear the risk and the current absence of specific financial controls; and

WHEREAS the Ontario Government has a moral obligation to protect all these pension funds in its fiduciary role;

THEREFORE BE IT RESOLVED that Etobicoke City Council go on record in requesting that the Ontario Government refrain from taking monies from the public sector pension funds to finance its industrial strategy in the light of employees who feel extremely threatened about the financial survival of their retirement years and undertake to finance its industrial strategy from general revenues - if it must do so!



21.
  - (a) That the 1991 Financial Report of the City of Hamilton as previously distributed by the Committee Secretary to all members of Council, be received for information purposes; and
  - (b) That the City Treasurer arrange to publish on one occasion the required 1991 financial statements, based on the audited report, in The Hamilton Spectator as soon possible, but in any event, within sixty days of receiving the audited statements and in accordance with regulations of the Ministry of Municipal Affairs; and
  - (c) That selected statements of the 1991 audited Financial Report be printed in brochure type report form for distribution to banks, other financial institutions and other interested parties.
22.
  - (a) That the Regional Municipality of Hamilton-Wentworth be requested to direct its Health Inspectors to assist with the enforcement of the City of Hamilton's Smoking Control Programs.
  - (b) For the information of the members of City Council, the Finance and Administration Committee in approving the By-law to License and Regulate the Sale of Tobacco for a \$25. licence fee, have directed staff to design a dual purpose licence and sign respecting this By-law which must be posted by retailers selling tobacco.
23. That the City of Hamilton decline the Plaintiff's Offer to Settle Ontario Court (General Division) Action No. 9822/87 dated 1992 May 1.
24.
  - (a) That the City of Hamilton agree to settle Ontario Court of Justice (General Division) Action No. 15491/89 by the payment of \$5,000. inclusive of damages, interest and costs, to the Plaintiffs, Bosa and Milos Zlojutro; and
  - (b) That the City of Hamilton obtain from Bosa and Milos Zlojutro, a Release satisfactory to the City Solicitor and that Ontario Court of Justice (General Division) Action No. 15491/89 be dismissed as against the City of Hamilton without costs.



25. That the construction covenants as contained in the Offer to Purchase of the property at 18 Main Street East, the south west corner of Main Street East and Hughson Street South, from DeSantis Group Inc., and as contained in the Deed from the City to DeSantis Group Inc. of the same property, be amended as follows:
- (a) That the construction commencement date be extended to, on or before 1994 November 30, and the construction completion date be on, or before 1996 November 30;
  - (b) That a further extension of two (2) years of the construction commencement and completion dates be granted at the pleasure of the City;
  - (c) That if during the extension period(s) of the construction covenants, the City deems the local economy to be in a condition for the DeSantis development, as outlined in the Site Plans attached herewith and marked Appendix "B", to be economically viable, the City has the right to ask the DeSantis Group to commence construction within a 180 day period. If DeSantis disputes the City's claim of the economic viability of the project, the Agreement will provide for arbitration of the issue;
  - (d) That in the event that at the end of the extension period(s) (1994 November 30 or 1996 November 30) the City has grounds to exercise its rights to re-purchase the property, the City shall either exercise such right within 90 days of the expiry of said extension period(s) or the City's right to re-purchase shall expire and all restrictive covenants shall be released from the title of the land;
  - (e) That the DeSantis Group shall continue to operate a public surface parking lot from the site during any extension period, so as to provide continued public parking for the area;
  - (f) That the DeSantis Group must agree that there will be no claim for compensation or damages against the City in the event the City chooses to re-purchase the property for non performance by the DeSantis Group;
  - (g) That the Mayor and City Clerk be authorized to execute an Agreement to amend the Agreement of Purchase and Sale and the Deed from the City to DeSantis, incorporating the changes;



- (h) That time is to remain of the essence and all other terms and conditions are to remain the same.

26. That leave be granted to introduce the following Bills:

- (a) Bill H-40 A By-law to Amend By-law 79-323 respecting the Licensing of:  
Retail Stores selling Tobacco, Cigars or Cigarettes.
- (b) Bill H-41 A By-law to Confirm the Proceedings of the Council of the  
Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder  
Secretary  
1992 May 21**



1992 May 26

Appendix "A" referred  
to in Section 10 of the  
Thirteenth Report of the  
Finance and Administration  
Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Betty Carter	Administrative Assistant II (0)	Clerk's	Replacing Ms. R. Morrison - retired	\$34,001.76 to \$39,962.52	20/04/92
Mr. David Costantino	Maintenance Assistant (8)	H.E.C.F.I.	Replacing Mr. F. Lucci - terminated	\$25,061.40 to \$29,260.92	21/04/92
Mr. Joseph Iannuzzi	Lieutenant (C-7)	Fire	Replacing Mr. G. Beasley - promoted	\$53,105.63	19/04/92
Mr. William Paset	Captain (C-8)	Fire	Replacing Mr. G. Almas - promoted	\$57,553.17	19/04/92
Mr. Vittorio Settini	Rink Attendant I (D-16B)	Culture & Recreation	Replacing Mr. J. Allen - promoted	\$34,326.24	30/03/92

Prepared 13/05/92



1992 May 26

THE CORPORATION OF THE CITY OF HAMILTON

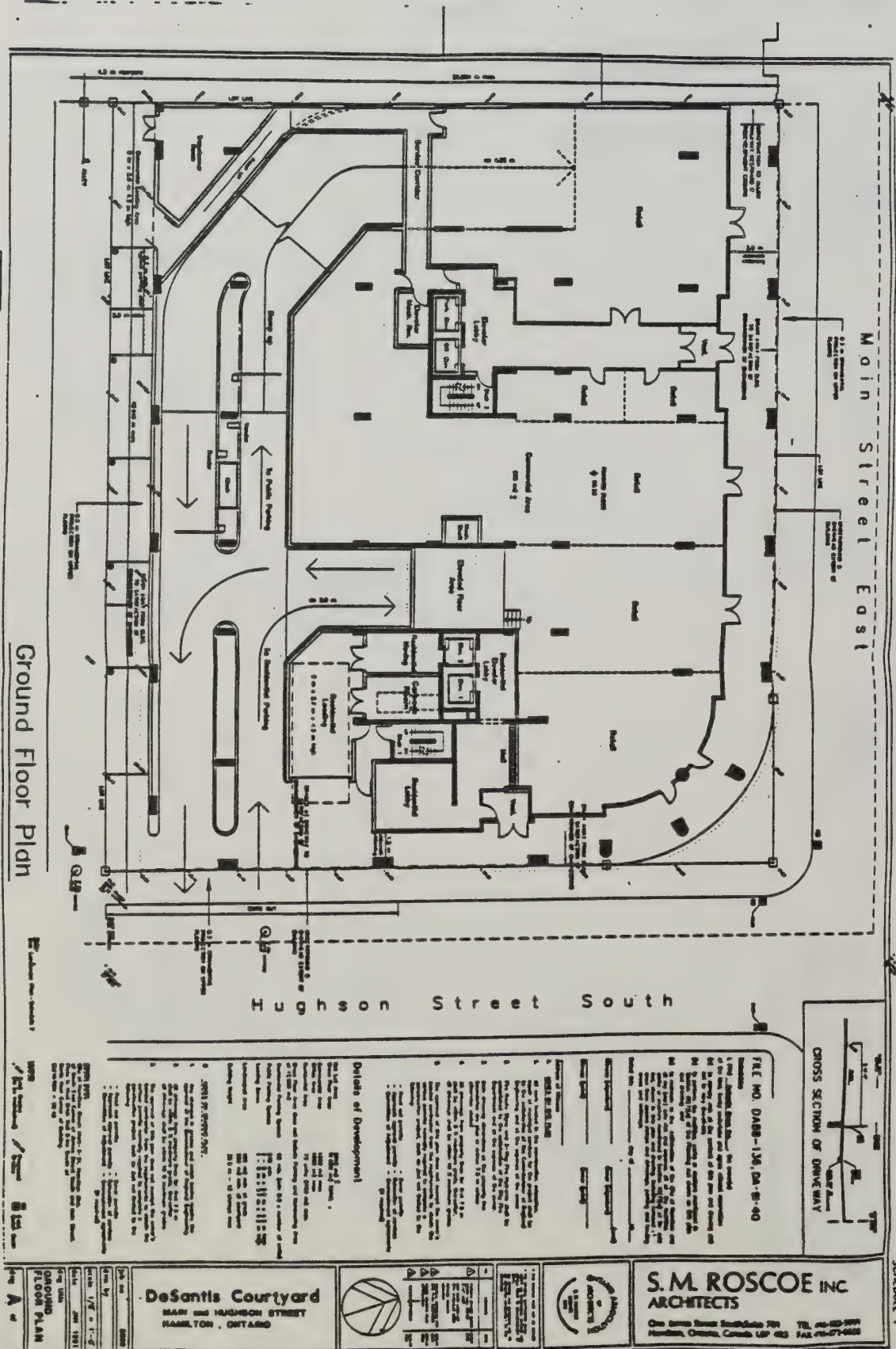
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Bruce Hope	Street Sweeper/ Flusher Operator	Public Works	Retired	9 years	30/04/92
Mr. Andy Sloggett	Gardener II	Public Works	Terminated	14 years, 3 months	16/04/92

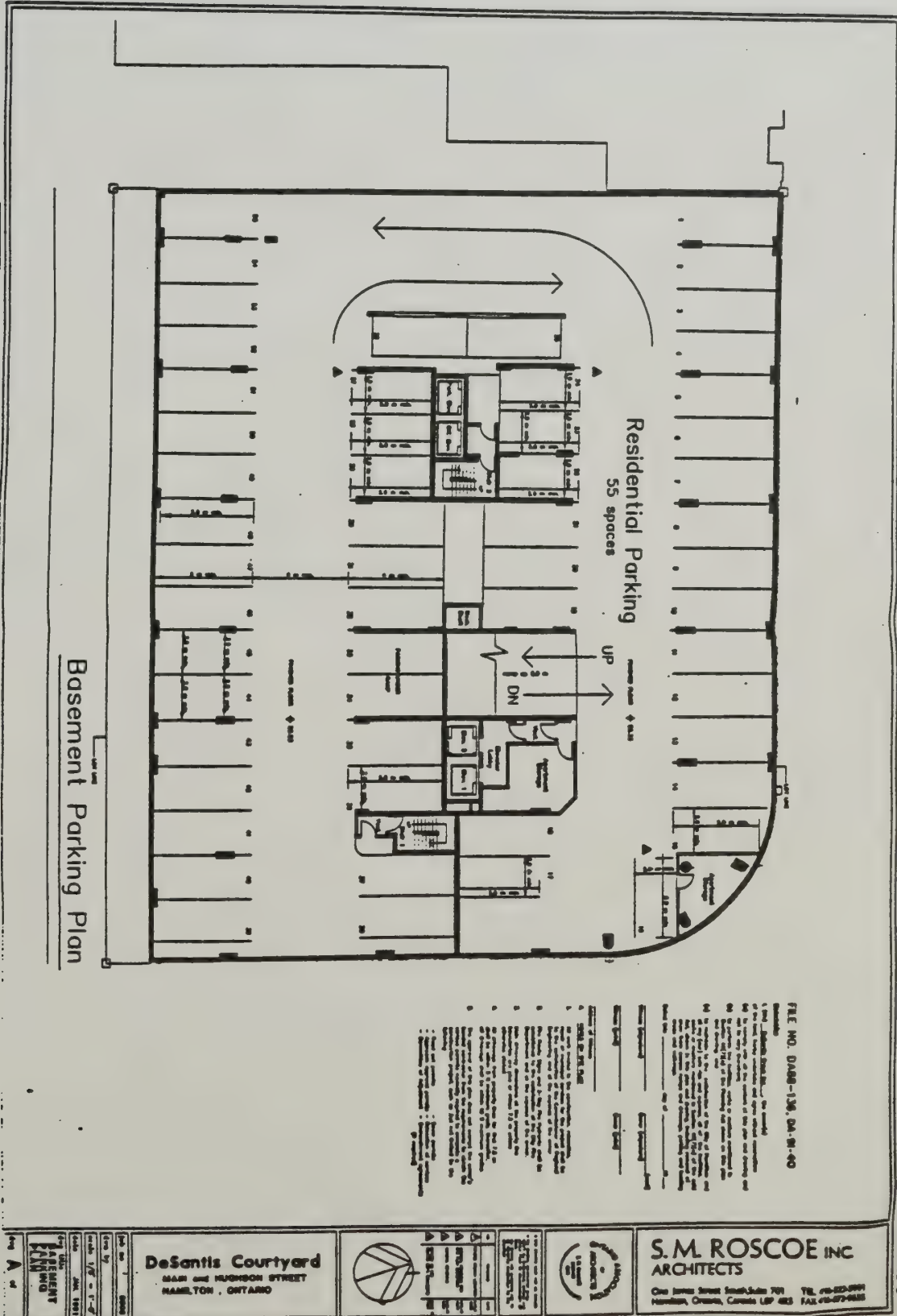
Prepared 13/05/92



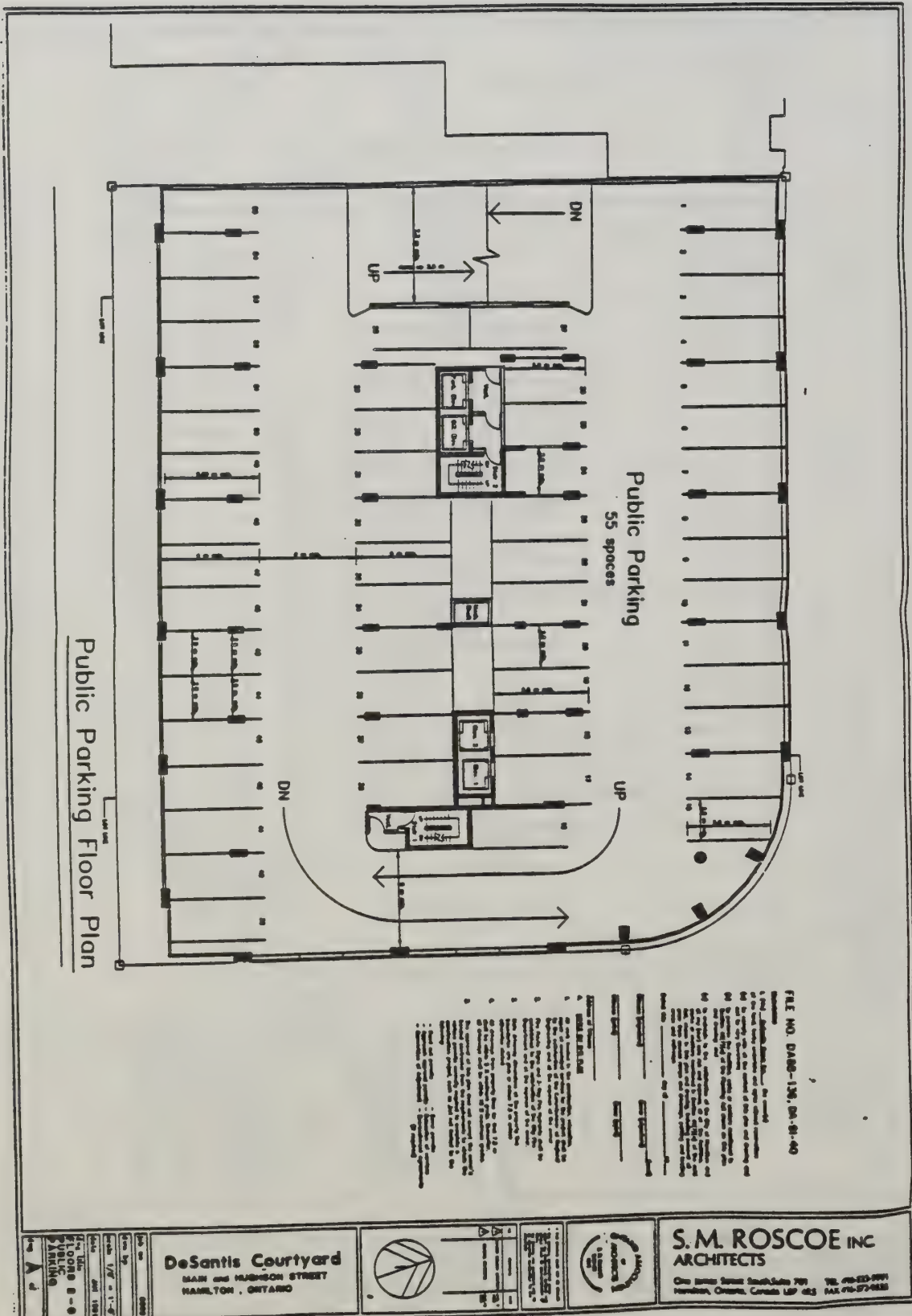
1992 May 26





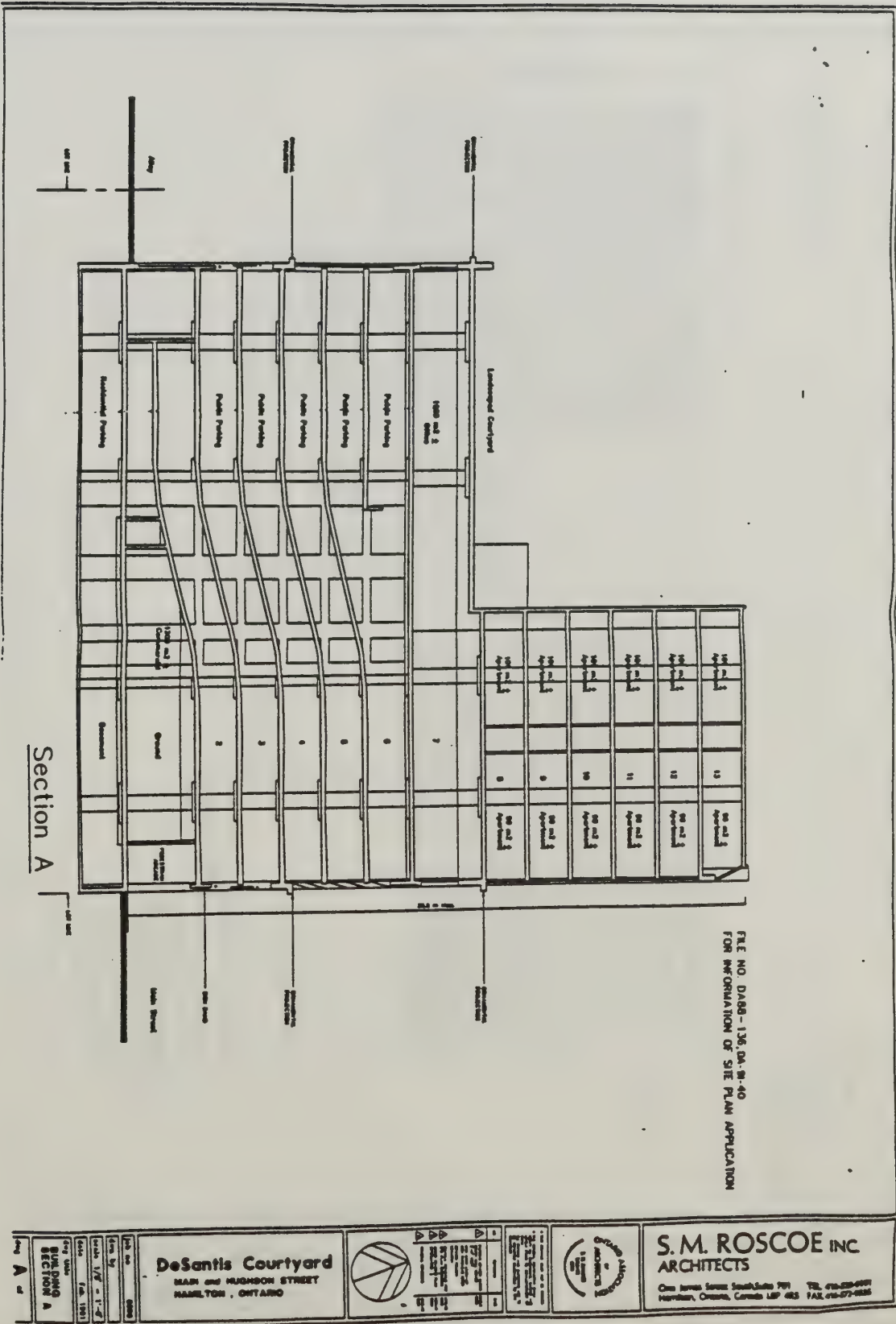








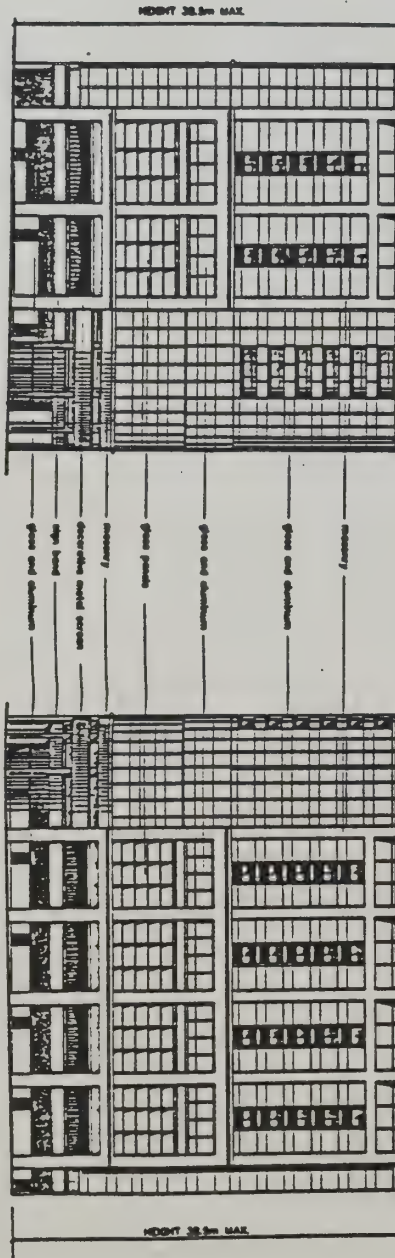
1992 May 26





8-10-61

### Main Street Facade

[illegible]

WASH AND POLAROID STREET  
CAMERAS, (2000)

One Jones Street South, Suite 701 TEL 416-533-6666  
 Hamilton, Ontario, Canada L8P 4K3 FAX 416-573-8338

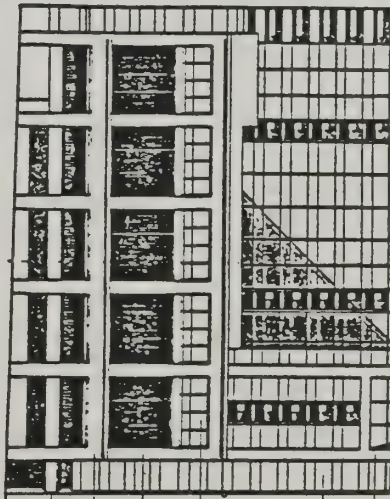


1992 May 26

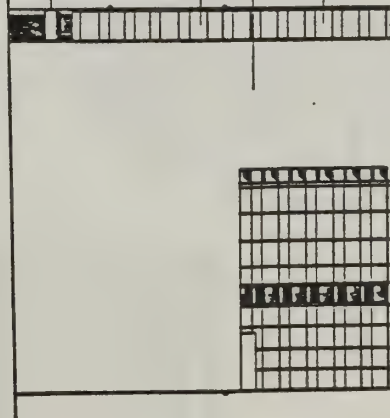
# Elevations

Scale: 1/8" = 1'-0"

South Elevation



West Elevation



FILE NO. DASH-136, 0A-SI-40  
 Project: DeSantis Courtyard, 136, 0A-SI-40  
 Date: 1992 May 26  
 Drawn by: [Name]  
 Checked by: [Name]  
 Title: Elevations  
 Scale: 1/8" = 1'-0"

<p>Job No. 136-0A-SI-40          Date: 1992 May 26          Scale: 1/8" = 1'-0"</p>	<p><b>DeSantis Courtyard</b>          136 AND HARBOR STREET          HAMILTON, ONTARIO</p>			<p><b>S. M. ROSCOE INC.</b>          ARCHITECTS          One James Street South, Suite 701          Hamilton, Ontario, Canada L8P 4B3 TEL: 416-523-0991 FAX: 416-572-0991</p>
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1992 June 2

Special Meeting of Hamilton City Council  
1992 June 2  
9:35 o'clock p.m.  
Council Chamber, City Hall

The Council met:

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,  
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman D'Amico that Section 15 of the Fourth Report of the Finance and Administration Committee be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,  
Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,  
D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Ross and seconded by Alderman D'Amico

That Section 15 of the FOURTH Report of the Finance and Administration Committee respecting the Performance Excellence Programme, which was adopted by City Council on 1992 January 28 and subsequently reconsidered and tabled by City Council at its meeting on 1992 March 31, and again on 1992 May 12, reading as follows:

- "15. (a) That the corporation policies for the Performance Excellence Programme outlined in Appendix "A" of the Joint Report of Mr. J. Pavelka, City's Acting Chief Administrative Officer and Mr. W. M. Carson, Region's Chief Administrative Officer, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be approved.
- (b) That the Performance Excellence Programme Status Report, as outlined in Appendix "B" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.
- (c) That the procedures defining implementation of policies, as outlined in Appendix "C" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.",

be now lifted from the table.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Ross and seconded by Alderman D'Amico:

That Appendix "C" respecting procedures defining implementation of policies for the Performance Excellence Programme, as referred to in Sub-section (c) of Section 15 of the Fourth Report of the Finance and Administration Committee, be amended to provide for the following:

- "1. That the procedure with respect to the claims form be amended to state that:
  - (a) doctors' certificates required on the third (3) day of absence as per the current practice will continue to be accepted by the Employer, subject to the employee ensuring that appropriate information with respect to the general nature of the illness and the date of the employee's return to work are contained in the document.
  - (b) the claims form as documented within the procedures will be required on the fifteenth (15) consecutive working day of absence and on every subsequent fifteenth (15) consecutive working day of absence in the manner prescribed within the procedure.
2. That the interview procedures be amended to formalize the two feedback interviews now existing within the procedures as interview levels similar to the process outlined in the Transvision procedures. As in Transvision, these steps will only be applicable where an employee has demonstrated improvement in attendance. This increases the number of steps within the Attendance Management System to seven (7) from the current five (5).
3. That the terminology within the procedures with respect to "termination" be amended to reflect the Employer's position that this action would only be taken:
  - (a) where every reasonable effort has been made to accommodate the employee within the workplace
  - (b) where the Employer has fulfilled its obligations under the Worker's Compensation Act and the Ontario Human Right's Code Act
  - (c) where there is no improvement in the employee's attendance



- (d) where the employee has reached the final level of the AMS procedures"

**And that the following be added as Sub-section (d) of Section 15 of the Fourth Report of the Finance and Administration Committee:**

- "(d) That the Council, through its committees, receive an annual report on the status of program implementation."

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Drury and seconded by Alderman Agostino that Appendix "C" be amended by adding the following to Section 1 of the Recommendations as Sub-section (c):

1. (c) That the Employer accept responsibility for payment for the filling out of claims forms by the Employee's physician, to a maximum of \$20.

**CARRIED.**

\* \* \* \* \*

Recorded vote on Section 15 as amended:

YEAS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -12.

NAYS: Mayor Morrow, Aldermen Kiss, Copps, Wilson, Merling. -5.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Committee of the Whole on Section 15 of the Fourth Report of the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman D'Amico that Bill No. H-42 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman D'Amico that Council move into Committee of the Whole to consider Bill No. H-42 with Mayor Morrow in the chair.

\* \* \* \* \*



**Consideration of Bill No. H-42 (second reading)**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Committee of the Whole on Bill No. H-42 be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman D'Amico that Bill No. H-42 be now read a third time, signed, sealed and enrolled as a by-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

**CARRIED.**



1992 June 2

\* \* \* \* \*

City Council then adjourned at 9:40 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz  
City Clerk







1992 June 30

Hamilton City Council  
1992 June 30  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino,  
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman M. Kiss - Vacation

Reverend Gilbert Holloway, Parkdale Gospel Temple led Council in prayer.

\* \* \* \* \*

Mayor R. M. Morrow presented Certificates of Recognition for Citizen Members who served on various City Committees, Boards and Commissions.

Mayor R. M. Morrow presented City of Hamilton Safety Quiz Awards to City Employees who were winners of the 1992 Safety Quiz Contest.

\* \* \* \* \*

The minutes of the meeting held 1992 May 26 and the special meeting of 1992 June 2 were adopted.

\* \* \* \* \*



**Correspondence:**

1. Letter dated 1992 June 4 from James Keenan, President, Local 5, Canadian Union of Public Employees requesting the establishment of a policy so that employees can be allowed a minimal amount of time off to pay respects.

**Referred to the Finance and Administration Committee**

2. Resolution dated 1992 June 12 from the City of Nepean respecting a fully enforced deposit based refillable/returnable system for beverage containers.

**Referred to the Transport and Environment Committee**

3. Application dated 1992 May 26 from 483466 Ontario Ltd., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for 829 Rymal Road East, Hamilton, Ontario.

**Received.**

4. Application dated 1992 May 27 from Alexander Stoller and Enzo Didiodate, Ancaster, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected, etc.) District for 255 Rymal Road East, Hamilton, Ontario.

**Received.**

5. Application dated 1992 June 17 from the Hamilton Society for the Prevention of Cruelty to Animals, Hamilton, Ontario for a change in zoning from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial District modified for Block 1 and for a modification to the established "M-13" (Prestige Industrial District regulations for Block 2, for land located at Nos. 235-265 Dartnall Road.

**Received.**



6. Resolution dated 1992 June 25 from the Town of Ancaster respecting Bell Canada - Regional Long Distance Telephone Charges - Petition for Local Toll Free Calling.

**Referred to the Finance and Administration Committee**

7. Resolution dated 1992 June 22 from the City of Stoney Creek respecting the playing of Canada's National Anthem at the beginning of City Council Meetings.

**Referred to the Finance and Administration Committee**

8. Petition dated 1992 June 17 from property owners on Scenic Drive in opposition to any reconstruction of Scenic Drive between Upper Paradise and Denlow Avenue.

**Referred to the Transport and Environment Committee**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the Reports of the the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



**TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT**

**Section 54 Re: Ministry of the Environment - PCB waste storage**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -15.

**NAYS:** Alderman Copps -1.

**CARRIED.**

\* \* \* \* \*

**Section 59 Re: Ministry of the Environment - Waste Disposal Site**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Copps - 1.

**CARRIED.**

\* \* \* \* \*

**Section 66 Re: Application Fees - Residential Boulevard Parking**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson -1.

**CARRIED.**

\* \* \* \* \*







\* \* \* \* \*

**Section 7 Re: Selling of Food and Alcoholic Beverages - Mozart Chamber Orchestra  
- Lobsterfest 1992 - Dundurn Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson. -1. **CARRIED.**

\* \* \* \* \*

**Section 18 Re: Commemorative Plaque - Opening of Sackville Hill Seniors' Recreation Centre**

It was moved by Alderman Jackson and seconded by Alderman Wilson that section 18 of the Thirteenth Report of the Parks and Recreation Committee be amended by adding the following as Sub-section (c):

- (c) That Bob Rae, Premier of Ontario, be recognized on the commemorative plaque to be mounted on the Sackville Hill Seniors' Recreation Centre.  
**CARRIED.**

\* \* \* \* \*

**Section 20(a) Re: One Time Capital Grant to Earthsong - Princess Point - Regional Council**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -15.

**NAYS:** Alderman McCulloch -1. **CARRIED.**

\* \* \* \* \*



**Section 21 Re: Hamilton "AA" Baseball Franchise - Stadium Facilities**

It was moved by Alderman Jackson and seconded by Alderman McCulloch that section 21 of the Thirteenth Report of the Parks and Recreation Committee be amended by adding the following words immediately after the word "renovation" in the second sentence "or new stadium"  
**CARRIED.**

\* \* \* \* \*

**Section 21 Re: Hamilton "AA" Baseball Franchise - Stadium Facilities**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Jackson, Ross, D'Amico. -6.

NAYS: Aldermen Cooke, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson. -10.  
**LOST.**

\* \* \* \* \*

**Section 23 Re: Tiger Cat Football Club - Sky-Diving Exhibition**

It was moved by Alderman Jackson and seconded by Alderman Charters that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding the Sky Bandits Sky Diving Team at Ivor Wynne Stadium.  
**CARRIED.**

\* \* \* \* \*

**Section 23 Re: Tiger Cat Football Club - Sky-Diving Exhibition**

It was moved by Alderman Jackson and seconded by Alderman Charters that the following resolution be added to the Thirteenth Report of the Parks and Recreation Committee as Section 23:



23. (a) That permission be granted to the Tiger Cat Football Club to have a sky-diving exhibition by the Sky Bandits Sky Diving Team - Welland Flying Club, as part of the pre-game show scheduled for 1992 July 9 at Ivor Wynne Stadium.
- (b) That proof of \$3 million comprehensive general liability insurance for bodily injury and property damage naming the City as co-insured, in a form satisfactory to the City Solicitor, be provided prior to the event.

**CARRIED.**

\* \* \* \* \*

**Section 24 Re: Hamilton Tiger Cat Football Club - Use of Ivor Wynne Stadium**

It was moved by Alderman Jackson and seconded by Alderman Ross that Rule No. 8 of the City's Procedural By-law be invoked for this meeting of City Council in order to consider a motion dealing with the granting of permission to the Hamilton Tiger Cat Football Club to play their next game at the Ivor Wynne Stadium on 1992 July 9. **CARRIED.**

\* \* \* \* \*

**Section 24 Re: Hamilton Tiger Cat Football Club - Use of Ivor Wynne Stadium - 1992 July 9**

It was moved by Alderman Jackson and seconded by Alderman Ross that the following be added as Section 24 of the Thirteenth Report of the Parks and Recreation Committee:

24. That permission be granted to the Hamilton Tiger Cat Football Club to use Ivor Wynne Stadium for its next C.F.L. Home Game on 1992 July 9.

**CARRIED.**

**PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT**



**PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT**

**Section 1     Re:     Residential Enclaves - North of C.N. Tracks**

It was moved by Alderman Drury and seconded by Alderman Morelli that section 1 of the Twelfth Report of the Planning and Development Committee be amended by adding the following as subsection (b) iii:

- (b)     (iii)     That the staff of the Planning Department be directed to report back to the Planning and Development Committee on the process involved to rezone the enclave lands to "residential". **CARRIED.**

\* \* \* \* \*

**FINANCE AND ADMINISTRATION COMMITTEE - FOURTEENTH REPORT**

**Section 25     Re:     1992 Canada Cup of Wrestling and Olympic Team - Co-hosting of Banquet**

Recorded vote.

**YEAS:**           Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico. -13.

**NAYS:**           Alderman Copps - 1. **CARRIED.**

\* \* \* \* \*



**Section 36 Re: Awarding of Civic Gold Rings, Pins and Diamond Insert**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico. -13.

**NAYS:** Alderman Copps - 1.

**CARRIED.**

\* \* \* \* \*

**Section 53 (d) and (e) Re: Bills H-46 and H-47**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to allow the introduction of two Bills respecting the issuance of debentures for the conversion of street lights to Hydro High Pressure Sodium Street Lights and the 1992 Road Reconstruction Program.

**CARRIED.**

\* \* \* \* \*

**Section 53 (d) and (e) Re: Bills H-46 and H-47**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Sub-section (d) and (e) respectively of Section 53 of the Fourteenth Report for 1992 of the Finance and Administration Committee:

(d) Bill H-46 A By-law to authorize the 1992 Reconstruction Program.

(e) Bill H-47 A By-law to authorize a Hydro High Pressure Sodium Street Lighting Conversion Program.

**CARRIED.**

\* \* \* \* \*



**Section 54    Re:    Authorization to attend the Commemoration of the 50th Anniversary of the Deippe Raid - Dieppe, France**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 54 of the **FOURTEENTH** Report for 1992 of the Finance and Administration Committee:

- "(a)    That Alderman W. McCulloch be authorized to attend the Commemoration of the 50th Anniversary of the Dieppe Raid being held in Dieppe, France in 1992 August as the City's Representative; and
- (b)    That the cost for this participation be charged to the Legislative Travel Account No. CH55201 10010."

**CARRIED.**

<p><b>NOMINATING COMMITTEE - THIRD REPORT</b></p>
---

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that Alderman H. Merling be appointed as Acting Mayor for the month of July, 1992.                    **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the Reports of the Committee of the Whole on the Reports of the Transport and Environment Committee, Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee and resolutions, be adopted.



Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following Bills be now read a first time:

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.



Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

Recorded vote Bill H-44: A By-law to Amend By-law 79-323 respecting the Licensing of: Taxi Cabs and Livery Vehicles.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Jackson, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Aldermen Eisenberger, Charters. -2.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.



1992 June 30

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 10:15 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz  
City Clerk

1992 June 30



## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SEVENTH Report for 1992 and respectfully recommends:

1. (a) That the Lisgar Neighbourhood be designated as a Neighbourhood Watch Area; and  
(b) That Neighbourhood Watch Signs for the Lisgar Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and  
(c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).
2. (a) That the eastbound left turn movement from King Street West to Dalewood Crescent be prohibited; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That eastbound traffic on Webber Street be required to stop for northbound and southbound traffic on East Avenue South; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That northbound traffic on Gretna Court be required to stop for eastbound and westbound traffic on Cranbrook Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.



5. (a) That three-way stop control be implemented at the intersection of Broughton Avenue and Ashridge Place; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That the westbound traffic in the north curb lane of Greenhill Avenue be required to turn right onto Mount Albion Road; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
7. That the City Traffic By-law No. 89-72 be amended to authorize the Director of Traffic Services to install temporary traffic signs and other traffic control devices to accommodate traffic demands during the construction or reconstruction of public highways, public utilities, or services located thereon.
8. (a) That three-way stop control be implemented at the intersections of Rexford Drive and Robson Crescent (east and west legs); and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
9. (a) That three-way stop control be implemented at the intersection of DiCenzo Drive and Trieste Place; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
10. That the Director of Traffic Services be authorized to assign School Crossing Guards on a temporary basis, subject to confirmation by the Transport and Environment Committee at the next regular meeting.
11. (a) That the existing hours of the School Crossing Guard at the intersection of Charlton Avenue East and Walnut Street be extended to include the lunch time school crossing periods; and  
(b) That the lunch time school crossing service be discontinued at the intersection of Aberdeen Avenue and Queen Street South.
12. (a) That a "Permit Parking" regulation be implemented on the west side of Elgin Street commencing at a point 51 feet south of Cannon Street and extending to a point 60 feet southerly therefrom; and



- (b) That a "No Parking" regulation be implemented on the east side of Elgin Street commencing at Cannon Street and extending to a point 76 feet southerly therefrom; and
  - (c) That the Director of Traffic Services be authorized to issue upon request, one parking permit to the resident of No. 146 Cannon Street East and two parking permits to the resident of No. 57 Elgin Street; and
  - (d) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented in the parking bay on the west side of Elgin Street commencing at a point 28 feet north of Wilson Street and extending to a point 92 feet northerly therefrom; and
  - (e) That a "No Stopping" regulation be implemented on the west side of Elgin Street commencing at a point 120 feet north of Wilson Street and extending to the north end; and
  - (f) That the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That in conjunction with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Tisdale Avenue South between Main Street and Erie Avenue; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Orphir Road between Pottruff Road South and Gailmont Drive; be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
15. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on the east side of Cathcart Street between Kelly Street and Cannon Street; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.



16. (a) That the existing "No Parking, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of Undercliffe Avenue be removed from Aberdeen Avenue to a point 147 feet southerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Augusta Street between Catharine Street South and Walnut Street South; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That the existing "Permit Parking" regulation on the north side of Peter Street which commences at a point 294 feet west of Queen Street and extends to a point 62 feet westerly therefrom be shortened such that the regulation commences at a point 316 feet west of Queen Street and extends to a point 40 feet westerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
19. (a) That the existing "Alternate Side Parking" regulation on Fairview Avenue between Cannon Street East and King Street East be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
20. (a) That Young Street between John Street and Ferguson Avenue be removed from the through street system such that parking may occur overnight; and  
(b) That a "No Parking, 8:00 a.m. to 12:00 noon, second Tuesday of each month, April to November" regulation be implemented on the south side of Young Street between John Street and Ferguson Avenue; and  
(c) That a "No Parking, 8:00 a.m. to 12:00 noon, second Wednesday of each month April to November" regulation be implemented on the north side of Young Street from John Street to Ferguson Avenue; and  
(d) That the City Traffic By-law No. 89-72 be amended accordingly.



21. (a) That the two two-hour metered parking spaces on the south side of Haymarket Street, east of Hughson Street, be replaced with a parking prohibition commencing at Hughson Street and extending to a point 60 feet easterly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
22. (a) That the existing "Permit Parking" regulation on the east side of East 27th Street which commences 30 feet north of Mohawk Road and extends to a point 19 feet northerly therefrom, be removed; and  
(b) That the existing "Permit Parking" regulation on the west side of East 27th Street which commences 31 feet north of Mohawk Road and extends to a point 20 feet northerly therefrom, be removed; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
23. (a) That a "Permit Parking" regulation be implemented on the west side of Fullerton Avenue commencing at a point 133 feet south of Princess Street and extending to a point 20 feet southerly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Isabell Dockstader, 63 Fullerton Avenue; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
24. (a) That a "Permit Parking" regulation be implemented on the south side of Wood Street East commencing at a point 133 feet east of Ferguson Avenue and extending to a point 48 feet easterly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Battram, 196 Wood Street East and Mr. Giuseppe, 198 Wood Street East; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
25. (a) That a "Permit Parking" regulation be implemented on the south side of Somerset Avenue commencing at a point 165 feet west of Barnesdale Avenue North and extending to a point 25 feet westerly therefrom; and



- (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Aletha Greenly, 48 Somerset Avenue; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 26.
- (a) That a "Permit Parking" regulation be implemented on the west side of Locke Street North commencing at the north end and extending to a point 30 feet southerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Jim Chatterton, 10 Tecumseh Street; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 27.
- (a) That a "Permit Parking" regulation be implemented on the west side of Ferguson Avenue North commencing at a point 184 feet north of Ferrie Street East and extending to a point 27 feet northerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Beavers, No. 433 Ferguson Avenue North; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 28.
- (a) That the existing "Permit Parking" regulation on the north side of Nightingale Street commencing at a point 167 feet east of the east curb line of Steven Street and extending to a point 20 feet easterly therefrom be removed; and
  - (b) That the existing "Permit Parking" regulation on the south side of Nightingale Street commencing at a point 172 feet east of the east curb line of Steven Street and extending to a point 20 feet easterly therefrom be removed; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 29.
- (a) That a "Permit Parking" regulation be implemented on the north side of Clinton Street commencing at a point 161 feet east of Barnesdale Avenue North and extending to a point 22 feet easterly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Borman, No. 85 Clinton Street; and



- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 30.
- (a) That a "Permit Parking" regulation be implemented on the east side of Leeming Street commencing at a point 388 feet north of Cannon Street East and extending to a point 20 feet northerly therefrom; and
  - (b) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 418 feet north of Cannon Street East and extending to a point 19 feet northerly therefrom; and
  - (c) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Ivan Rous, No. 39 Leeming Street; and
  - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
- 31.
- (a) That a "Permit Parking" regulation be implemented on the north side of Dunsmure Road commencing at a point 96 feet east of Park Row extending to a point 19 feet easterly therefrom; and
  - (b) That a "Permit Parking" regulation be implemented on the south side of Dunsmure Road commencing at a point 94 feet east of Park Row extending to a point 26 feet easterly therefrom;
  - (c) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Creighton, No. 509 Dunsmure Road; and
  - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
- 32.
- (a) That a "Permit Parking" regulation be implemented on the west side of Greig Street commencing at a point 276 feet south of Barton Street and extending to a point 22 feet southerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. William Hertel, 26 Greig Street; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.



33. (a) That the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 8:00 p.m., 7 days a week" regulation on the east side of East 22nd Street commencing at a point 321 feet north of Fennell Avenue and extending to a point 25 feet northerly therefrom be removed; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
34. (a) That a "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of Gibson Avenue commencing at a point 32 feet north of Wilson Street and extending to a point 25 feet northerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
35. (a) That a "No Stopping" regulation be implemented on the north side of King William Street commencing at Tisdale Avenue North and extending to a point 80 feet westerly therefrom; and  
(b) That a "No Stopping" regulation be implemented on the south side of King William Street commencing at Tisdale Avenue and extending to a point 70 feet easterly therefrom; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
36. (a) That a "No Stopping" regulation be implemented on the north side of Herkimer Street commencing at a point 65 feet east of MacNab Street North and extending to a point 66 feet easterly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
37. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Franklin Road commencing at a point 52 feet west of the west curb line of East 28th Street and extending to a point 88 feet westerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.



38. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of S. Merlo-Orzel, agent for the City of Hamilton Culture and Recreation Department, to close Hunter Street West from James Street to Bay Street on Wednesday, 1992 May 27 from 6:00 p.m. to 8:00 p.m., for the City of Hamilton Fit Day Run and Roll, subject to the following conditions:
- (a) That approval from Regional Police Services be received prior to consideration by City Council of an application for complete closure;
  - (b) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (c) That all barricading be supplied by and at the expense of the applicant;
  - (d) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (e) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (f) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
39. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of Reverend W. K. Pottinger, agent for the Presbyterian Church in Canada (St. Paul's Presbyterian Church, 70 James Street South, Hamilton L8P 2Y8) to close Jackson Street West between James Street and MacNab Street, on Sunday, 1992 June 7 from 7:00 p.m. to 11:00 p.m. for an outdoor reception subject to the following conditions:
- (a) That approval from Regional Police Services be received prior to consideration by City Council of an application for a complete closure;



- (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That advance temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
40. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of L. Ellis, agent for the Boy Scouts of Canada (375 James Street South, Hamilton, L8P 3B9) to close MacNab Street South from Main Street to Jackson Street and Jackson Street from MacNab Street to City Hall parking lot, on Saturday, 1992 May 30 from 8:00 a.m. to 12:00 noon for the annual Boy Scout/Girl Guide Parade be approved subject to the following conditions:
- (a) That approval from Regional Police Services be received prior to consideration by City Council of an application for a complete closure;



- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That advance temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
41. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the applications of the following agents to temporarily close portions of the following City of Hamilton streets to hold Neighbourhood Block Parties on Sunday, 1992 June 14:
- (a) P. Berquist (26 Roanoke Road, Hamilton) Roanoke Road (1:00 p.m. to 10:00 p.m.)
  - (b) G. Booth (2 Oak Knoll Drive, Hamilton) Dalewood Crescent between Paisley and Oak Knoll (5:00 p.m. to 9:00 p.m.)
  - (c) C. Cole (217 Park Row South, Hamilton) Park Row South between Lawrence and Justine (1:30 p.m. to 10:00 p.m.)



- (d) J. Rumble (965 Montclair Avenue, Hamilton) Montclair Avenue between Grosvenor and Balmoral (1:00 p.m. to 6:00 p.m.)
- (e) C. MacLeod (38 Fairleigh Avenue North, Hamilton) Fairleigh Avenue North between Wilson and King (1:00 p.m. to 6:00 p.m.)
- (f) L. Smith (97 Arkell Street, Hamilton) Arkell Street between Paisley and Newton (12:30 p.m. to 3:30 p.m.)

Subject to the following conditions:

- i. That approval from Regional Police Services be received;
- ii. That the applicant obtain public liability insurance from the City of Hamilton;
- iii. That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- iv. That all barricading be supplied by and at the expense of the applicant;
- v. That temporary road closures signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;
- vi. That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
- vii. That no property owner or resident within the barricaded area be denied access to their property upon request;
- viii. That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



42. That the City grant a licence agreement to Westinghouse Canada Inc. for a right of way to permit pedestrian and vehicular access between the Westinghouse parking lot and Beach Road (over land designated as Parts 1, 2, 3 and 4, Plan No. 62R-9714) provided Westinghouse Canada Inc. enter into an agreement satisfactory to the City Solicitor incorporating the following terms:

- (a) That the agreement may be ended by either party on 90 days written notice;
- (b) That the right of way be subject to Westinghouse Canada Inc. entering into a Private Crossing Agreement with C.N. Rail for permission to cross the rail line passing through the former Beach Road allowance at mileage 0.36 Firestone Lead HB Mileage 43.37 Grimsby Subdivision;
- (c) That Westinghouse Canada Inc. agrees to indemnify the City and to provide liability insurance naming the City of Hamilton as an additional insured in an amount not less than 3 million dollars;
- (d) That the required agreement form part of the Westinghouse Canada Inc. Private Crossing Agreement with C.N. Rail and the Region of Hamilton-Wentworth.

43. (a) That the following City lands be incorporated into the road allowance as indicated below in order to complete the final street width or provide access to newly registered subdivision developments:

Greenhill Avenue	Part 3	Plan W.H.R.-89
Harbour Front Dr	Parts 1, 5, 14 20, 21 and 25	Plan 62R-12134
Chedmac Drive	Parts 1- 17 (incl) 26, 27, 28 and 29	Plan 62R-12060
Millwood Place	Part 2	Plan 62R-11979
Public Walkway	Part 4	Plan 62R-11979



Fieldway Drive	Parts 2,3,6,8,10 12, 14, 17 and 20 Parts 3 and 5	Plan 62R-11050 Plan 62R-11929
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Donn Avenue	Part 14	Plan 62R-9499
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Acadia Drive	Parts 1, 13 and 28	Plan 62R-11096
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- (b) That the by-law to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

44. That the application of W. Powell, agent for the Earthsong Festival (401 Main Street West, Hamilton L8P 1K5) to temporarily close Longwood Road between Franklin and Princess Point entrance from Wednesday, 1992 July 1 at 12:00 noon to Sunday, 1992 July 5 at 11:00 p.m. to hold the annual Earthsong Festival, be approved subject to the following conditions:

- (a) That approval from Regional Police Services be received prior to a complete closure;
- (b) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (c) That all barricading be supplied by and at the expense of the applicant;
- (d) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
- (e) That no property owner or resident within the barricaded area be denied access to their property upon request;



- (f) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

45. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of A. Castellino and B. Giglia, agents for the Communita Racalmutese Maria S.S. Delmonte (P.O. Box 83005, Jamesville, Hamilton) to close Ferguson Avenue north of Burlington Street and Dock Service Road from Ferguson Avenue to Catharine Street on Sunday, 1992 June 21 from 9:00 p.m. to midnight for a fireworks display subject to the following conditions:
- (a) That approval from Regional Police Services be received prior for a complete closure;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the reopening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



46.
  - (a) That in accordance with the City Traffic By-law No. 89-72 that Earl Paddock Transportation Inc. be given an Annual Overload Permit for the year 1992 for two (2) tractor trailers to travel upon Depew Street and Burland Crescent; and
  - (b) That 18% of the carrying fee of \$2,667. or \$480. be credited to City Account No. 25827011 (Overload Permit Fees) and that 82% or \$2,187. be credited to Regional Account No. 46025 301502.
47. That the construction of an independent concrete curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road proceed as a Local Improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of forty-six thousand, one hundred dollars (\$46,100.) as provided in the 1992 portion of the 1992 - 2001 Capital Budget with a City's share of forty-six thousand, one hundred dollars (\$46,100.); and
  - (a) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital Project; and,
  - (b) That the Senior Director of Roads be authorized to construct these works once all of the necessary approvals have been received.
48.
  - (a) That the construction of a concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue and at the east end of South Bend Road East (north side) at the north end of Holt Avenue proceed as Local Improvements pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of two thousand, five hundred dollars (\$2,500.) and two thousand, eight hundred and sixty dollars (\$2,860.) respectively as provided in the 1992 portion of the 1992 - 2001 Capital Budget with a City's share of two thousand, five hundred dollars (\$2,500.) and two thousand, eight hundred and sixty dollars (\$2,860.) respectively and no Owner's share for both projects; and
  - (b) That the Finance and Administration Committee be requested to recommend a source of funds for these Capital Projects; and
  - (c) That the Director of Public Works be authorized to construct these works once all of the necessary approvals have been received.
49.
  - (a) That purchase orders be issued as follows for concrete cutting and asphalt planing as and when required during 1992, 1993 and 1994 by the Public Works



Department, being the lowest acceptable tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders, and that these expenditures be financed through various approved accounts:

<u>Concrete Cutting</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
Bigelow Brothers Construction, Mount Hope	\$ 85.	\$ 88.	\$ 90.
M. G. Nelson Concrete Cutting, Burlington	\$ 85.	\$ 90.	\$ 95.
plus travel time	\$ 30.	\$ 35.	\$ 40.

Asphalt Planing

Hard Rock Paving Company Limited, Port Colborne	\$310.	\$325.50	\$342.
plus travel time	\$ 65.	\$ 68.50	\$ 72.

Hourly rates with GST extra at 7%

- (b) As this works is to commence as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
50. (a) That a purchase order be issued to Infrastructure Management Services Ltd., Toronto, in the amount of \$206,400. plus applicable taxes for Consulting Services, Pavement Management System being the most acceptable of three proposals received in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal.
- (b) That this expenditure be financed through the Road and Sidewalk Reconstruction Programme, Pavement Management System Account No. CF5200 529242038.
- (c) That a contract be entered into satisfactory to the City Solicitor.



51. For the information of City Council the following individuals have been appointed as citizen members to the Pedestrian Safety Advisory Sub-Committee of the Transportation and Environment Committee as approved by the Transport and Environment Committee at its meeting held 1992 June 22:

- Wendy Moore-Spors
- Angela Maloch

52. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 88 of the Registry Act, R.S.O. 1990 for an order to stop-up, close and sell the unassumed east/west alleyway adjacent to No. 276 Sanford Avenue North to the north/south alleyway;
- (b) That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in District Court;
- (d) That the Applicant register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owner and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor;
- (e) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipalities Act. R.S.O. 1990;
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.

Provided the Judge's Order to close the highway is granted:

- (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed alleyway to the abutting owner;



- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the by-law.
53. (a) That the application of D. Loyst and J. Hettinga, proprietors of the Hess Village Cafe (18 Hess Street South, Hamilton) on behalf of the owners, Chintamani Pathak and Savitri Pathak, to establish an outdoor boulevard cafe at 18 Hess Street South, measuring a total of 350.46 square feet, on the Hess Street South road allowance, be approved during the pleasure of City Council, subject to the following:
- i. That the applicant and owner enter into a Boulevard Cafe Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the City Solicitor;
  - ii. That the applicant and the owner pay the processing and registration fee of \$217. and first annual encroachment fee of \$788.54 plus taxes, if applicable;
  - iii. That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - iv. That the applicant occupy the licensed area of the boulevard from May 1 to October 31 of each year of the agreement, provided that all furniture, equipment, etc. be removed from the road allowance at all other times.
- (b) That the Mayor, the City Clerk and the Treasurer be authorized and directed to execute the Boulevard Cafe Agreement.
54. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to the establishment of an outdoor PCB waste storage site by Ball Packaging Products Canada Inc., at 391 Victoria Avenue North, for the consolidation of PCB materials, from their Ontario plants; namely the Simcoe, Malton, Niagara Falls and Burlington plants provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.



- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their information.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: Alderman Copps -1.

**CARRIED.**

- 55. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to R. T. Recycling Technology receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 20 Warrington Street in Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the Certificate of Approval regulating the operation of the facility proposed by R. T. Recycling Technology.
- 56. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Henkel Canada Ltd. conducting a decommissioning and clean-up of their Ward Avenue plant site at 162 Ward Avenue in Hamilton provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the



Certificate of Approval regulating the decommissioning site proposed by Henkel Canada Ltd.

57. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Laidlaw Technologies Inc. establishing and operating a facility to solidify and neutralize fly ash from the Region's Solid Waste Reduction Unit (SWARU), provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and corresponding City Council resolution be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the Certificate of Approval which would apply to the development and operation of the facility proposed by the proponent.
58. (a) That the West Central Branch of the Ministry of the Environment be advised that the City of Hamilton has no objection to PPM Canada Inc. carrying out the proposed PCB destruction for Westinghouse Canada/ABB Canada at 1632 Burlington Street, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.
59. (a) That the West Central Region Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to I. Waxman & Sons Limited receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 500 Centennial Parkway North in Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.



- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOE for their consideration in the preparation of the Certificate of Approval regulating the operation of the facility proposed by I. Waxman & Sons Limited.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Copps - 1.

**CARRIED.**

- 60. (a) That the 47 proposed transit shelter locations as outlined in Appendix "A" attached hereto as candidate shelter locations for the 1992 Hamilton Street Railway Shelter Program, be approved.
- (b) That Hamilton Street Railway install 27 shelters at these candidate locations in the priority indicated by the warrant scores and subject to finalizing the necessary encroachment agreements.
- (c) That the remaining candidate shelter locations which do not receive a shelter through the 1992 Hamilton Street Railway Shelter Program be considered for future years.
- 61. (a) That the portion of Section 17 of the Ninth Report of the Transport and Environment Committee adopted by City Council on 1991 June 25 which refers to the approval of engineering schedules for Bar-Brock Estates - Phase 3, Hamilton, be deleted.



- (b) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:

i. "ACADIA ESTATES", Hamilton

City's Share \$59,478.

Owner's Share \$101,845.

ii. "BAR BROCK ESTATES - PHASE 3", Hamilton (Revised Schedules "E" and "F");

City's Share - Nil

Subdivider's Share \$252,970.43

iii. "PRIMECAN ESTATES", Hamilton

City's Share \$328,994.

Subdivider's Share \$307,467.

iv. "RYMAL SQUARE ESTATES - PHASE 2", Hamilton

City's Share \$13,576.80

Subdivider's Share \$217,103.65

v. "SUMMERFIELD AT THE ORCHARDS", Hamilton

City's Share \$139,093.

Subdivider's Share \$196,828.

- (c) That the revised schedules of works for "Sandrina Gardens - Phase 1", Hamilton, be adopted for inclusion in the Subdivision Agreements with the Owners, and that the previously approved appropriation for the City's share be reduced from \$160,296. to \$55,941.
- (d) That the Mayor and the City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Acadia Estates", Hamilton, "Bar-Brock Estates - Phase 3", Hamilton, "Primecan Estates", Hamilton, "Rymal Square Estates - Phase 2", Hamilton, "Sandrina Gardens - Phase 1", Hamilton and "Summerfield at the Orchards", Hamilton.
- (e) That the approval of the above-noted clauses be subject to the condition that no work has commenced on the installation of services except as provided for in sub-section (f) below.



- (f) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements they should be allowed to do so at their own risk provided they enter into standard agreements with the City of Hamilton for pre-servicing.
- (g) That the City's share for the services in "Acadia Estates", (\$59,478.), "Primecan Estates", (\$328,994.), "Rymal Square - Phase 2", (\$13,576.80) and "Summerfield at the Orchards", (\$139,093.) be approved and that the Finance and Administration Committee recommend the source of funding for these projects.
- (h) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary by-laws to:
  - i. Establish the extension of Duncairn Crescent easterly from the existing eastern limit to the west limit of "Summerfield at the Orchards" subdivision and,
  - ii. Establish the extension of Gondola Street southerly and easterly from the existing southern limit to the west limit of "Summerfield at the Orchards" subdivision as a public road allowance as shown on a Plan of Reference prepared by P. J. Sheehy, O.L.S. in order to provide road access to the "Summerfield at the Orchards" subdivision.
- (i) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary by-laws to establish Part 1 of a Reference Plan prepared by P. J. Sheehy, O.L.S. as part of the Towercrest Drive road allowance in order to provide road access from Upper Wellington Street to "Primecan Estates" subdivision.
- (j) That upon registration of the Final Plan of Subdivision for "The Gardens of Rymal - Phase 2", in accordance with current City policy, the Treasurer for the City of Hamilton be authorized and directed to financially compensate the Owners (Benemar Construction Inc.) in the amount of \$160,000. for excess lands dedicated to the City for roadway purposes on Upper Wentworth Street which are beyond the maximum 26.0 metre width required by the City and that the Finance and Administration Committee recommend the source of funding.



- (k) That the Final Plan of Subdivision for "Summerfield at the Orchards", Hamilton not be released for registration until the Final Plan of Subdivision for "Orchard Park Estates - Phase 1", Hamilton has been registered.

62. (a) That the City Solicitor be authorized and directed to prepare the necessary by-law respecting the protection of trees for submission to City Council.
- (b) That the following policies and procedures be drafted by the Public Works Department and be presented to the Transport and Environment Committee and City Council when the policies are finalized:

- Protection of Trees
- Lights in Trees - Business Improvement Areas/Site Specific Locations
- Information Notice for Building Permit Application
- Criteria for Industrial Roadside Beautification Program - approved by City Council at its meeting of 1991 July 30 as Section 11 of the Tenth Report of the Transport and Environment Committee
- Sewer-Street Tree Policy - approved by City Council at its meeting of 1991 October 29

The explanatory policies and procedures are outlined in Appendix "B" attached hereto.

- (c) That the Region of Hamilton-Wentworth through the Transportation Services Committee be requested to consider the adoption of a Trees By-law applicable to public trees adjacent to Regionally designated roads within the City of Hamilton.
63. (a) That to the extent possible surface roots be dealt with through use of appropriate cultural practices including consideration of the following points:
- i. Frequent, light watering of lawns under trees can cause an abundance of tree roots in the upper soil surface and may cause surface rooting.
  - ii. Improper fertilization can cause surface rooting, particularly when combined with light watering. Heavy fertilization combined with low rainfall and light watering will result in a concentration of the nutrients in the upper several



inches of soil which allows for vigorous grass growth, but also may cause an abundance of tree roots very near the surface.

iii Often times surface rooting may be caused by soil structure. A heavy, shallow clay soil can result in a concentration of roots near the surface. If the clay soil is not too thick it can be fractured by compressed air.

iv A high water table can cause tree roots to concentrate near the surface of the soil. Sometimes better drainage of an area will allow tree roots to penetrate deeper in waterlogged soils.

(b) That the removal of the offending tree be the absolute last resort at the discretion of the City Horticulturist.

64. (a) That garbage collection be reinstated for the statutory holiday at Thanksgiving at a cost of approximately \$18,000.

(b) That the garbage collection accounts be allowed to run into overdraft by the \$18,000. and this overexpenditure be offset by the overall surplus of the Public Works Department.

65. (a) That the Director of Public Works be authorized and directed to establish an Annual Tree Planting Programme on the City Road Allowance to be included in the 1993 Capital Budget associated with new construction projects and specific locations as approved by City Council;

(b) That the 1993 Capital Budget for Road Reconstruction include an amount equivalent to one percent (1%) of the construction value, to be contained in the Annual Tree Planting Programme Account;

(c) That the Director of Public Works be directed to include a budget enhancement to cover the annual maintenance of the trees associated with this Annual Tree Planting Programme for consideration in the 1993 Current Budget estimated at \$7,500. in 1993.



66. That a one time \$30. application fee be established for successful applicants for residential boulevard parking.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Jackson -1.

**CARRIED.**

67. (a) That the Chairman or his designate be authorized to attend the 9th World Clean Air Congress and Exhibition to take place 1992 August 30 to September 4, Montreal, Quebec.

- (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.

68. That leave be granted to introduce the following Bills:

- (a) **A-44** By-law to Incorporate 14, Plan 62R-12134, Part 5, Plan 62R-12134, Part 1, Plan 62R-12134 and Part 21, Plan 62R-12134 into Harbour Front Drive
- (b) **A-45** By-law to Incorporate Part 3, Plan W.H.R.-89 into Greenhill Avenue
- (c) **A-46** By-law to Incorporate Parts 1 to 11 (inclusive) and Parts 26, 27 and 28, Plan 62R-12060, Parts 12, 13, 14 Plan 62R-12060, Parts 15, 16, 17 Plan 62R-12060 and Part 29, Plan 62R-12060 into Chedmac Drive
- (d) **A-47** By-law to Incorporate Part 2, Plan 62R-11979 into Millwood Place
- (e) **A-48** By-law to Incorporate Part 4, Plan 62R-11979 into Public Walkway
- (f) **A-49** By-law to Incorporate Parts 2, 3, 6, 8, 10, 12, 14, 17 and 20, Plan 62R-11054 and Parts 3 and 5, Plan 62R-11929 into Fieldway Drive
- (g) **A-50** By-law to Incorporate Part 14, Plan 62R-9499 into Donn Avenue



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- (h) **A-51** By-law to Incorporate Parts 28, and 1, Plan 62R-11096 and Part 13, Plan 62R-11096 into Acadia Drive
- (i) **A-52** By-law respecting Trees
- (j) **A-53** By-law to amend By-law No. 89-72 to Regulate Traffic
- (k) **A-54** By-law to amend By-law No. 89-72 to Regulate Traffic

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary**

**1992 June 22**



## 18.0 TRANSIT SHELTER REQUESTS

During the course of a year numerous requests for new transit shelters are received for various locations. Every requested location must be investigated by the bus stop administrator to determine if a shelter is warranted.

### 18.1 Analysis and Evaluation

At any given time requests for new bus shelters will be received from Councillors, passengers, operators or activity centres such as senior citizen homes. Every request must be analyzed and evaluated to justify or reject possible locations.

This process is outlined on Figure 19 "Annual Bus Shelter Program - Analysis and Evaluation Process."

Figure 20 "Bus Shelter Installation Warrants - Relative Importance of Various Factors" outlines the total score that each variable may have and its impact on the total rating. As shown on the warrant sheet illustrated on Figure 21 "Warrants for Transit Shelter Installation" various factors are investigated and designated a rating which reflects the poor or good condition thereof.

The following factors are examined.

#### (a) Physical Aspects:

- a location that is completely exposed to the weather, for example on an open windswept corner lacking any protection from the weather
- a well lit area is preferred to deter vandalism
- the shelter should not be a sight obstruction; refer to sight distance criteria supplied by the City of Hamilton Traffic Dept. as illustrated on Figure 22



- (b) Passenger Usage:
  - preference should be given to a well utilized stop
- (c) Route Stability:
  - if the route may be realigned within the next five years any stop location that could be affected should be avoided
  - if there are no foreseen route realignments and no major alignments have occurred in recent history, it is desirable
- (d) Passenger Waiting Time:
  - the greater the passenger waiting time between buses the better the location for a shelter
  - off peak headways, as opposed to peak headways, are the major determinant in this category due to the reduced frequency of service
- (e) Land Use:
  - as the density in the area surrounding a proposed shelter increases the better the impact of the shelter on the neighbourhood
- (f) Advertising Exposure:
  - the shelter program is supported through revenues generated by the advertising within the shelter

In conjunction with the proposed shelter locations, existing shelters should be investigated to determine if replacements are required.

Upon completion of the analysis and evaluation phase the new locations are prioritized based on the total scores as summarized on the warrant sheets. Locations with the highest totals are given top priority.

After selecting the locations where a new shelter will be installed it may be necessary to undertake an encroachment



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summarized on the warrant sheets. Locations with the highest totals are given top priority.

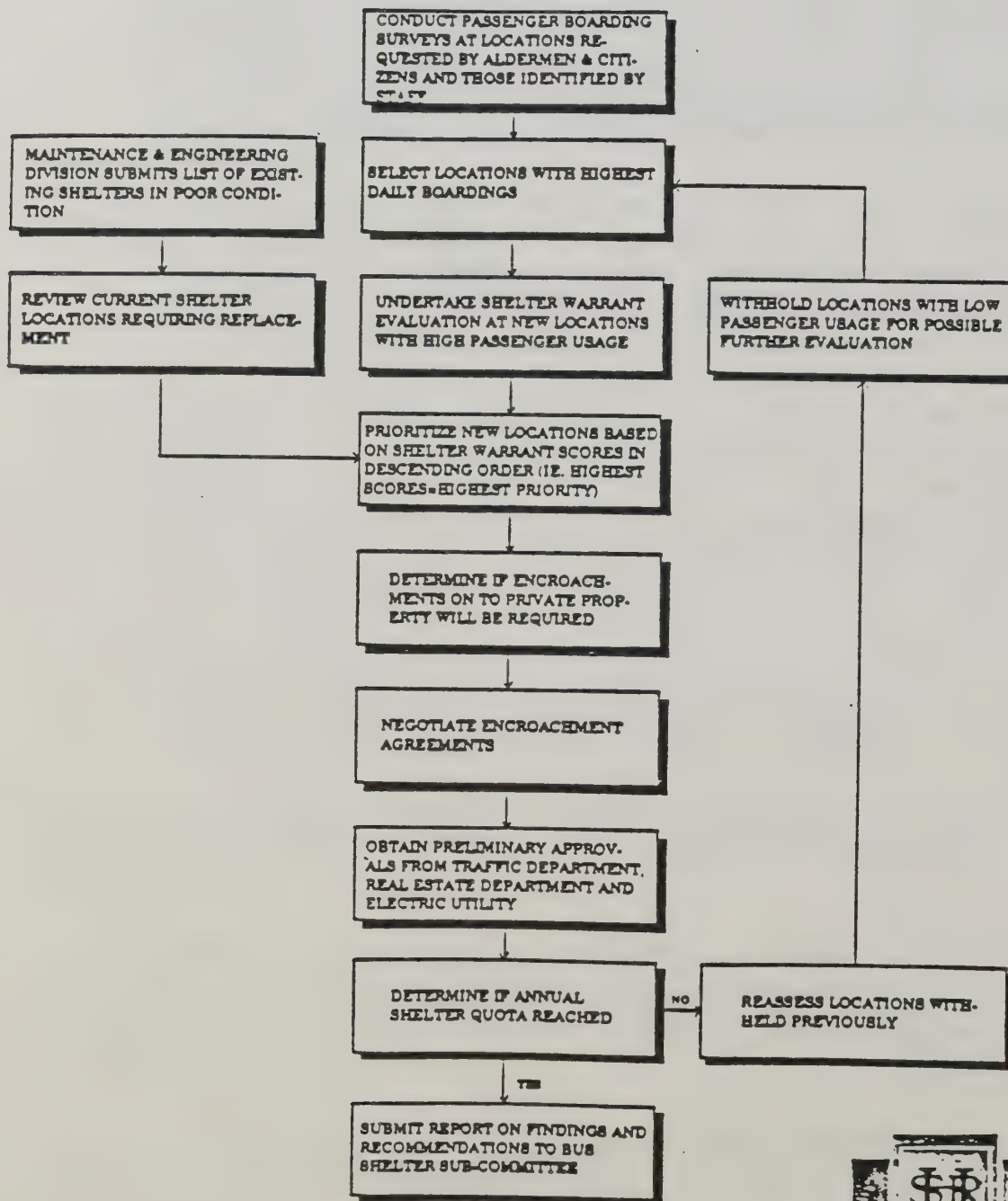
After selecting the locations where a new shelter will be installed it may be necessary to undertake an encroachment agreement with private property owners if a shelter is to encroach. Even though a location ranks high in the foregoing evaluation process, installation may not be possible if there is insufficient road allowance width available, and/or the property owner does not choose to permit an encroachment.

Depending upon the location, power hookups may be required to provide background lighting to the advertising panels. The bus stop administrator must conduct site visits with a representative of the following utility companies depending on the location:

- (a) Hamilton Hydro
- (b) Stoney Creek Hydro
- (c) Dundas Hydro
- (d) Ancaster Hydro



**FIGURE 19**  
**ANNUAL BUS SHELTER PROGRAM**  
**ANALYSIS & EVALUATION PROCESS**





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FIGURE 20

**BUS SHELTER INSTALLATION WARRANTS  
RELATIVE IMPORTANCE OF VARIOUS FACTORS**



FACTOR	RELATIVE IMPORTANCE IN PERCENT. AGE OF TOTAL POINTS	
<b>A. PHYSICAL ASPECTS</b>		
EXPOSURE TO WEATHER CONDITIONS	15 %	
LIGHTING	5 %	
SIGHT DISTANCE OBSTACLE	5 %	
<b>ALL PHYSICAL ASPECTS</b>		25 %
<b>B. PASSENGER USAGE</b>		
NUMBER OF BOARDING PASSENGERS	25 %	
<b>TOTAL USAGE</b>		25 %
<b>C. ROUTE STABILITY</b>		
ROUTE CHANGES IN NEXT 3 YEARS	5 %	
YEARS ROUTE UNCHANGED	5 %	
<b>TOTAL STABILITY</b>		10 %
<b>D. PASSENGER WAITING TIME</b>		
HALF OF HEADWAY - PEAK HOUR (DURING RUSH HOURS)	5 %	
HALF OF HEADWAY - OFF PEAK HOUR	15 %	
<b>TOTAL LENGTH OF WAIT</b>		20 %
<b>E. LAND USE</b>	10 %	
<b>TOTAL LAND USE</b>		10 %
<b>F. ADVERTISING EXPOSURE</b>	10 %	
MINIMUM COMB* RATING: 7,000		
RECORDED COMB RATING: _____		
*COMB - CANADIAN OUTDOOR MEASUREMENT BOARD		
<b>TOTAL ADVERTISING EXPOSURE</b>		10 %
<b>TOTAL (A TO F) ALL FACTORS</b>		100 %



1992 June 30

**HAMILTON STREET RAILWAY  
MARKETING & CUSTOMER SERVICES DIVISION  
TRANSIT SHELTER WARRANT SHEET**

SURVEY DATE: \_\_\_\_\_ COMPLETED BY: \_\_\_\_\_ STOP NO.: \_\_\_\_\_

LOCATION: ON \_\_\_\_\_ SIDE: \_\_\_\_\_ AT \_\_\_\_\_

CORNER: \_\_\_\_\_ ROUTE(S): \_\_\_\_\_ DIRECT: \_\_\_\_\_ MUNIC.: \_\_\_\_\_

**A. PHYSICAL ASPECTS**

EXPOSURE TO WEATHER	_____	FULL (15)	AVERAGE (10)	MINIMUM (5)
BUS STOP AREA LIGHTING	_____	GOOD (5)	POOR (0)	
SIGHT DISTANCE OBSTACLE	_____	NO (5)	YES (0)	

**B. PASSENGER USAGE**

NUMBER OF BOARDING PASSENGERS PER DAY	_____	HIGH >100 (25)	HIGH/AVG 61-100 (20)	AVERAGE 41-60 (10)	LOW/AVG 21-40 (5)	LOW 0-20 (0)
--	-------	----------------------	----------------------------	--------------------------	-------------------------	--------------------

**C. ROUTE STABILITY**

ROUTE CHANGES IN NEXT 5 YEARS	_____	NO (5)	YES (0)
YEARS ROUTE UNCHANGED	_____	>20 (5)	20-5 (3) <5 (0)

**D. PASSENGER WAITING TIME**

		PEAK HOUR	OFF PEAK HOUR
		<2.0 (0)	<4.0 (0)
HALF PEAK HOUR HEADWAY	_____	2.1 - 4.0 (1)	4.1 - 8.0 (3)
		4.1 - 6.0 (2)	8.1 - 12.0 (6)
HALF OFF PEAK HOUR HEADWAY	_____	6.1 - 8.0 (3)	12.1 - 16.0 (9)
		8.1 - 10.0 (4)	16.0 - 20.0 (12)
		10.1 > (5)	20.1 > (15)

**E. LAND USE IN NEIGHBOURHOOD**

UNDEVELOPED	(0)	RETAIL	(8)
INDUSTRIAL	(5)	TRANSFER PT.	(10)
RESID. SINGLE	(7)	HOSPITAL	(10)
RESID. MULTI	(8)	SENIORS HOME	(10)
SCHOOL/CHURCH	(8)	PUBLIC BLDG.	(10)

**F. ADVERTISING EXPOSURE**

APPROACH SIDE GREATER THAN 7000 (10)	NON-APPROACH SIDE LESS THAN 7000 (0)
---	---

COMB\* RATING  
- APPROACH SIDE \_\_\_\_\_  
- NON-APPROACH SIDE \_\_\_\_\_

TOTAL A. TO F. \_\_\_\_\_

**G. EASE OF IMPLEMENTATION**

ENCROACHMENT REQUIRED \_\_\_\_\_  
MAJOR SITE EXCAVATION REQUIRED \_\_\_\_\_

CLEARANCES REQUIRED:

HBA BENCH REMOVAL REQUIRED: YES NO

**H. OTHER CONSIDERATIONS**

**I. CONCRETE LANDING PAD REQUIRED**

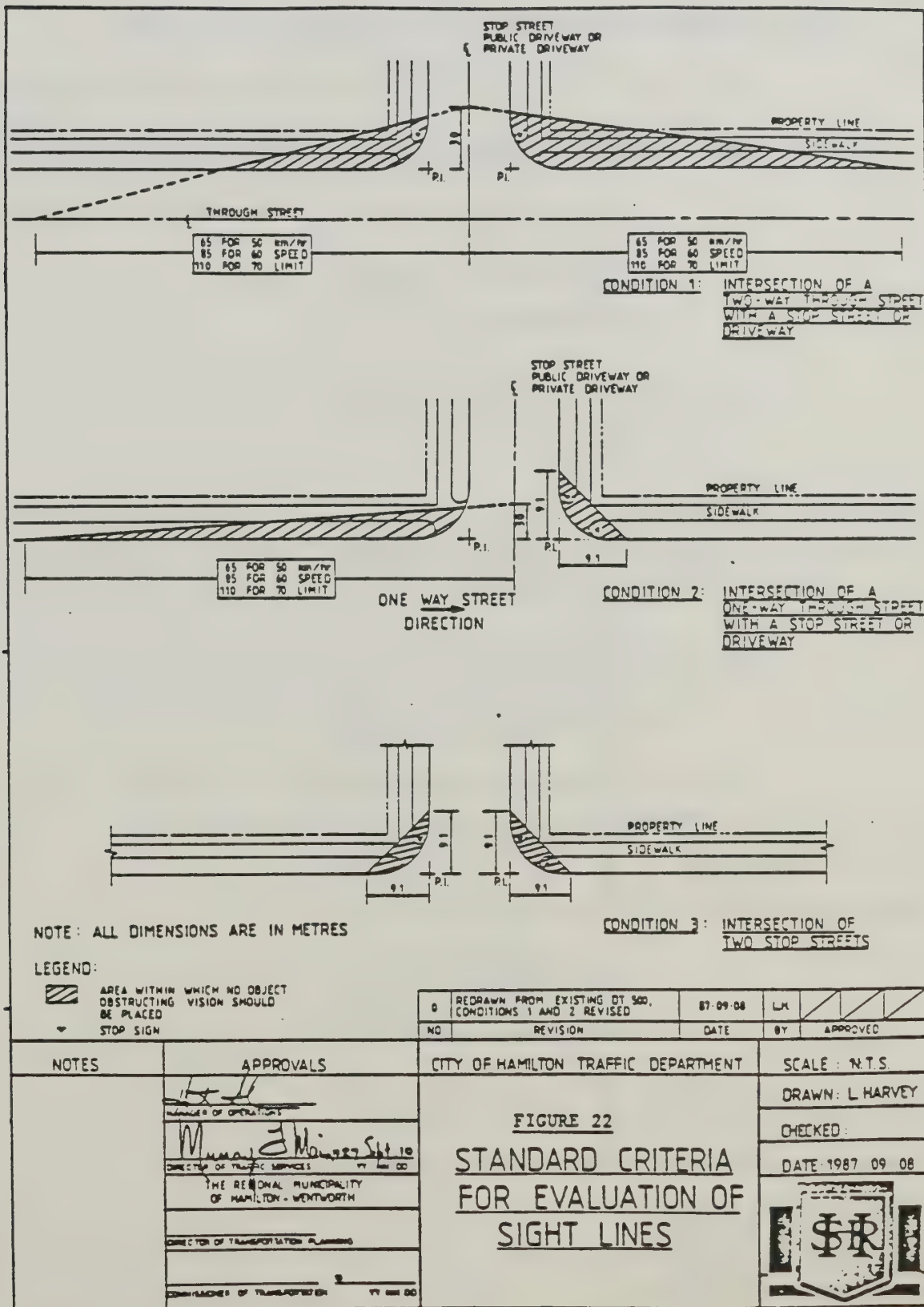
YES NO  
WIDTH: LENGTH:

\* COMB - CANADIAN OUTDOOR MEASUREMENT BOARD

HBA - HAMILTON BENCH ADVERTISING, BENCH MUST BE REMOVED IF AN ADVERTISING DAYTECH IS INSTALLED

SITE INVESTIGATION DRAWING ON REVERSE







## 18.2 Approval Process

Upon completion of the analysis and evaluation process and the shelter locations have been selected, it is necessary to seek approval, dependent upon the municipality within which the shelter is located, from one of the following:

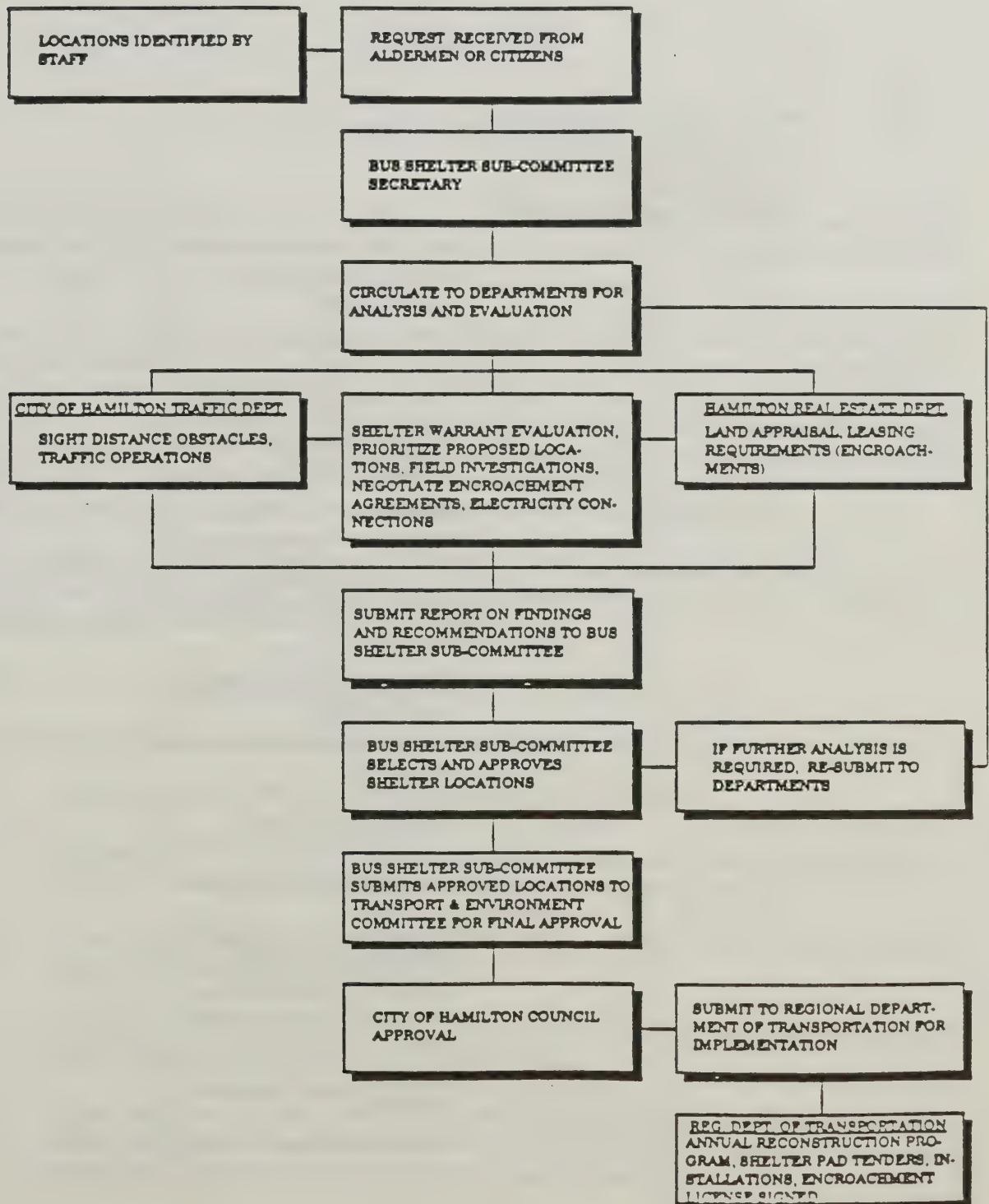
- (a) City of Hamilton
  - Transport and Environment Committee
  - City Council
- (b) City of Stoney Creek
  - Engineering Committee
  - City Council
- (c) Town of Dundas
  - Planning and Development Committee
  - Town Council
- (d) Town of Ancaster
  - Planning Department, Project Supervisor
  - Town Council

Figure 23 "Annual Bus Shelter Program Approval Process - City of Hamilton" outlines the steps involved.



FIGURE 23

ANNUAL BUS SHELTER PROGRAM APPROVAL PROCESS  
CITY OF HAMILTON

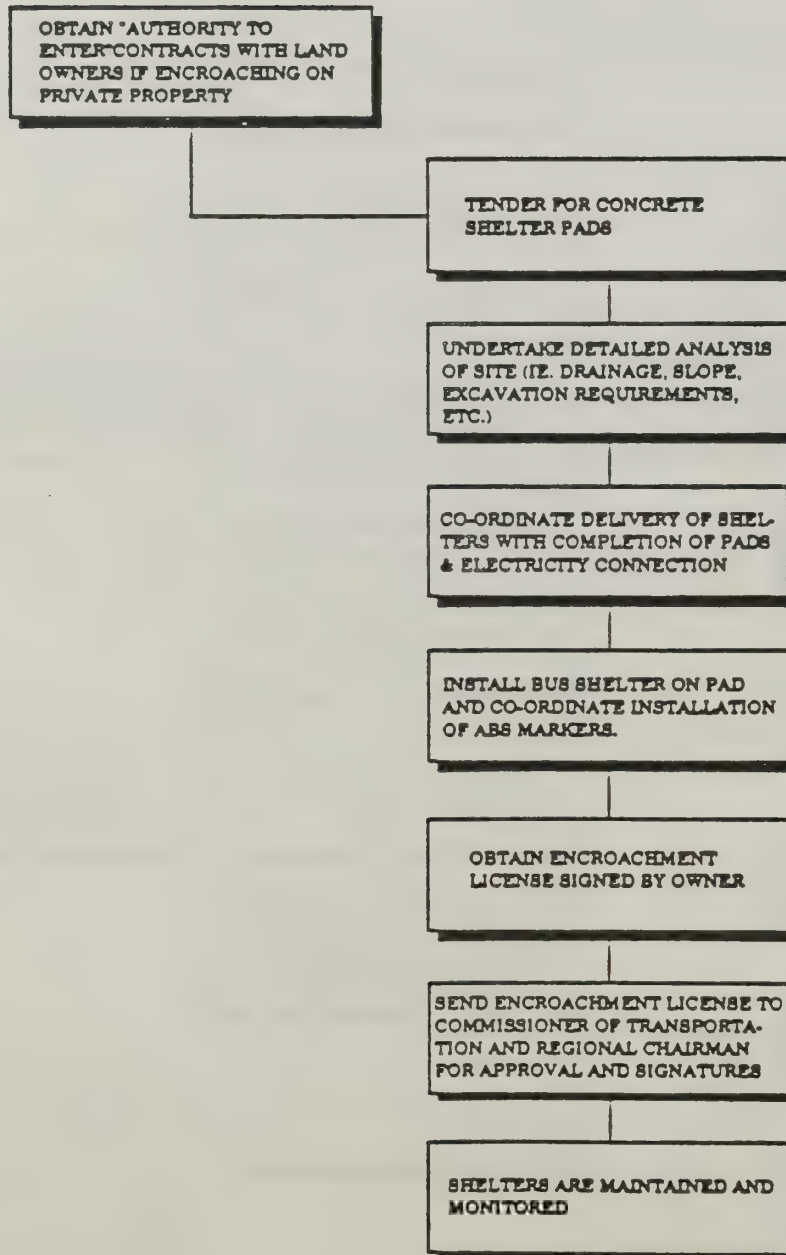




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**FIGURE 24**  
**ANNUAL BUS SHELTER PROGRAM**  
**IMPLEMENTATION PROCESS**





### PROTECTION OF TREES

During the installation of various services, there are many instances in which work is being carried out in the vicinity of trees. In the past very little consideration was given to the tree and frequently the tree was removed because it simply was in the way.

Over the past ten or fifteen years, the Public Works Department has been ensuring that if work is carried out in the vicinity of a tree, action is taken to protect the tree and under only rare circumstances will the tree be permitted to be removed and replaced. There has however been no reference to the protection of trees in the by-law. The Department has therefore developed and included a clause on this matter which will ensure that trees are protected during construction. It also establishes a method of calculating the replacement value of trees which may be damaged during or as a result of construction.

The inclusion of a clause regarding the protection of trees is consistent with City Council's policy that the management, maintenance and improvement of the urban forest be a corporate priority for 1992 and subsequent years.

The following procedure is written on how to protect trees.

Trees will be protected by the permit holders in the following manner:

- a) No work shall be carried out within the dripline of any tree.
- b) The tree must be protected from materials, equipment and changes in the grade of soil within the dripline area by the placement of protective fencing.
- c) If work must be carried out within the dripline of the tree, the area must be tunnelled or bored under,
- d) No removal, trimming or alteration of any tree is permitted unless authorization is first received from the Director of Public Works,
- e) If trees are damaged and must be replaced as determined by the Director of Public Works, the contractor will be responsible for replacing the tree at his/her cost and paying the Corporation the value of the damaged tree,



### Approval

1. Recommendation Report to the Transport and Environment Committee specifying selected addresses for program based on the date received by the Public Works Department.
2. Upon Council approval, Property owner may proceed with design installation.
3. Upon completion of project, the Public Works Department will inspect site and recommend entering into the agreement whereby the adjacent property owner will be responsible for the maintenance of the landscaping.
4. Upon completion of the agreement which is to be registered on title by the property owner, the Public Works Department will approve release of 50% of the capital cost.



**CRITERIA FOR INDUSTRIAL ROADSIDE BEAUTIFICATION PROGRAM  
- JULY 1991**

This program is offered to beautify the city owned portion of industrial roadside areas on a 50/50 cost share of the initial capital cost providing the adjacent property owner enters into an agreement with the City of Hamilton to maintain the landscaping.

Criteria

**Design**

1. Applicant must submit design plan to Public Works, Parks Horticulture with 2 cost estimates for beautification on road allowance.
2. Design to include all overhead and underground utility locates.
3. Must comply with City by-laws.
4. No electric receptacles or lights will be affixed to trees.
5. Parks Horticulture will approve design.

**Estimates and Maintenance**

1. Estimates to include 1 year warranty on installed plant material.
2. All plant material installed to be maintained by property owner, including: watering, fertilizing, weeding, insect and disease control.
3. All trees planted on the road allowance become the responsibility of the Public Works Department and will be scheduled for trimming in Grid Program.
4. Any replacement trees required will be cost shared between the property owner and the City on a 50/50 cost share basis.
5. Architecturally designed signage to be developed and displayed.  
ie: This roadside beautification project has been undertaken jointly by \_\_\_\_\_ firm name \_\_\_\_\_ and the City of Hamilton, Public Works Department.



## SEWER - STREET TREE POLICY

ADOPTED BY CITY COUNCIL OCTOBER 29, 1991

### CITY

- |                                       |   |
|---------------------------------------|---|
| <b>Sewer Cleaning</b>                 | When the City receives complaints from a property owner regarding City tree roots impairing the operation of the property owner's sewer, it will be the property owner's responsibility to call a sewer contractor to clean out the property owner's sewer. The sewer contractor will advise the property owner and the City by way of a signed affidavit, of the exact cause of the blockage.  |
| <b>Blockage by Tree Roots</b>         | If it is determined that the sewer blockage was caused by the roots of a City tree, the City will assume 100% of the cost of the clean out.   |
| <b>Blockage other than Tree Roots</b> | If it is determined that the blockage was not caused by the roots of a City tree, the total cost for the clean out will be assumed by the property owner.   |
| <b>50/50 Cost Share</b>               | If a sewer clean out is required twice or more in one year, as the result of City tree roots, the Director of Public Works will discuss the situation with the property owner and a decision will be made by the Director of Public Works to cost share 50/50 either the removal of the tree and/or replacement of that portion of the sewer line affected by tree roots. The replacement sewer line must meet Region of Hamilton-Wentworth Specifications and a permit must be obtained prior to construction.   |
| <b>Blockage on Road Allowance</b>     | <p>A. If there is a blockage caused by settlement or a collapsed or broken sewer line, the Regional Municipality of Hamilton-Wentworth will pay 100% of the cost to repair the sewer line, regardless of whether or not tree roots are present.</p> <p>B. If there is a blockage caused by tree roots, then arrangement will be made to cost share 50/50 for the removal of the blockage.</p> <p>Upon discussion with the property owner, the Director of Public Works has the option to continue with a scheduled sewer clean out program; the City will assume 100% of the cost of the clean out.</p> |



INFORMATION NOTICE FOR BUILDING PERMIT APPLICANT

This is to advise that the Public Works Department, Parks Horticulture is responsible for the maintenance and general well being of all trees on City property including City and Region road allowances. Depending on the nature of the proposed undertaking, a tree on the road allowance may be affected ie: new access, grade change, equipment access during construction, excavation etc.

Streets By-Law #9329, Section 5, Subsection (8) states that "No person shall injure or destroy a tree" upon a highway. On this basis, it is recommended that prior to commencing the building permit application process, you contact the Public Works Department at 546-2785. \*

This will allow a site inspection to be made and information provided to you regarding the policies and procedures with respect to any municipal tree being effected.

Your cooperation in this regard will be greatly appreciated and go along way in preserving our urban forest.

- \* This will be updated to reflect content of proposed new by-law following council approval.



## SUMMARY

Lights acceptable on City trees when:

1. Electrical outlet is a separate circuit and located above reach on an existing pole or an existing building front.
2. Proponent to be responsible for annual hydro charge.
3. Electrical equipment to be checked/repared annually by a licensed electrician for public safety and protection of the tree.
4. Electrical wires to be replaced by the proponent when required (approximately every 4-5 years).
5. All permanent electrical equipment to be installed by a qualified electrician.
6. Proponent to be responsible every year that all lights are working.



LIGHTS IN TREES  
BUSINESS IMPROVEMENT AREAS/SITE SPECIFIC LOCATIONS

That the request of any Business Improvement Area to install new electrical receptacles to provide power for lights in the trees in the individual BIA's and those BIA areas with existing electrical receptacles to provide power for lights in the trees, adhere to the following criteria:

- a) That the individual proponent be responsible for entering into an agreement with Hamilton Hydro and for the flat rate power consumption charges, payable directly by them to Hamilton Hydro.
- b) That the Regional Municipality of Hamilton-Wentworth Engineering Department, on behalf of the City of Hamilton, arranges for the maintenance of hydro pole mounted electrical equipment only.
- c) That the individual proponent be responsible for all required maintenance and the proper, safe working order of all electrical equipment not mounted on the hydro pole (ie: conduits, receptacles, wiring, enclosures, switches, etc).
- d) That electrical outlets be located above 8' on either existing poles or building fronts.
- e) That the strings of lights be fastened to the trees with adjustable fasteners to avoid girdling of the tree.
- f) Annually, a licensed electrician must inspect and repair/replace wiring, etc with regards to public safety and condition of the tree (girdling and wire wear), all at the expense of the individual proponent; the Public Works Department must be notified of this inspection along with its findings and action taken.
- g) That strings of lights and other electrical wiring in trees be removed and reinstalled at the expense of the individual proponent to facilitate trimming by the City. Forestry staff will notify the individual proponent when trimming is scheduled, taking into account the grid trimming program and life span of the lights.
- h) That all permanent wiring be installed by licensed electricians at the expense of the individual proponent.
- i) That all lighting (not hard wired) be installed by qualified decorative lighting company personnel and proposed loadings be approved by the Regions Engineering staff before installation.
- j) That failure to satisfy the above criteria will result in written notice to the proponent outlining the nature of the problem and requirements for compliance. Following no action or refusal by the proponent to correct the specified problem, Public Works will remove the lights and wiring, with the cost charged to the individual proponent.
- k) That if a tree dies and requires replacement, the individual proponent will arrange for the removal of lights at the cost to the individual proponent. Once the tree is replaced, lights may be installed at the cost to the individual proponent.



- f) The value of the tree to be replaced will be determined in accordance with the International Society of Arboriculture Tree Evaluation Guide, or at values determined by City Council and in effect at the time the damage took place."

**Reason:** The by-law previously did not contain any clauses with respect to the protection of trees during construction or to the replacement cost of trees which may be damaged during or as a result of construction. The inclusion of this clause is consistent with City Council's policy that the management, maintenance and improvement of the urban forest be a corporate priority for 1991 and subsequent years.



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. (a) That approval be given to enter into a contract with Valee-Way General Contractors of Concord, Ontario as the General Contractor for the Huntington Park Recreation Centre, Renovation and Addition. The contract account will be two million, four hundred and ninety-two thousand, four hundred dollars (\$2,492,400.) plus applicable G.S.T. to a total of two million, six hundred and forty-one thousand dollars (\$2,641,000.).
- (b) That the project team be authorized to include the following additional renovation elements to the existing building. These additional renovations will fall within the total approved project budget.
  - Replace all mechanical and electrical systems in the existing building with new
  - Replace finishes, fixtures, plumbing and electrical in existing washrooms
  - Increase parking area lighting (safety)
  - Add new ventilation system for existing gymnasium and
  - Landscaping
  - Waterslide
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and the General Contractor, Valee-Way General Contractors of Concord, Ontario.
- (d) That the Mayor and the City Clerk execute the contract on behalf of the City.



2.
  - (a) That the City grant to the Region for the sum of \$1., a 6 metre wide easement for maintenance of a sanitary sewer line to connect existing and future users of the Pier-4 Park redevelopment site (namely Macassa Bay Sailing Club, McDonald Marina Services, Pier-4 Park washroom building and Pier-4 water spray features) with the Regional Sanitary Sewer System.
  - (b) That an Easement Agreement and Survey be prepared by the City in respect of the sanitary sewer line now being constructed by the Public Works Department which is being assumed by the Region.
  - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
  
3. That approval be given to the action taken by the Director of Culture and Recreation to allow Hostess Frito-Lay Company to sell beer and alcoholic beverages on the occasion of their fastball tournament to be held at Globe Park on 1992 June 20 and June 21 subject to the following terms and conditions:
  - (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury, naming the City as additional insured be provided.
  - (b) That the applicant meet all requirements of the Liquor License Board of Ontario for issuance of a special occasion permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Jackson. -1.

**CARRIED.**



4.
  - (a) That approval be granted to reduce the rental charges by 50% for the use of the Mohawk Sports Park, 1992 October 9 to October 12 by the Hamilton Football Officials Association to host the Ontario Football Championships.
  - (b) That the organizers be responsible to pay all labour-related costs incurred on the statutory holiday (Thanksgiving Day holiday).
  
5.
  - (a) That the Parks and Recreation Committee endorse the sale of alcoholic beverages by the Greek-Canadian Church on church property only and in conjunction with their annual Greek Fest to be held 1992 August 14, August 15, August 16.
  - (b) That permission be given to the organizers to erect a tent on Inch Park for the purpose of cooking and selling food and to provide an area for entertainment and dancing subject to the following terms and conditions:
    - i. That approval be received from the Health and Fire Departments for arrangements for the sale of food and refreshments.
    - ii. That proof of \$2 million public liability insurance for property damage and bodily injury naming the City as additional insured, be provided.
    - iii That police security satisfactory to the Hamilton-Wentworth Regional Police be provided.
    - iv That precaution be taken by the organizers to ensure the grounds are not damaged and financial restitution be made to the City for any damage that may occur.
    - v. That all City costs over the above norm incurred as a result of this event be paid by the applicant.



- vi That permission be granted to park 100 vehicles on Inch Park in an area approved by the Parks Division.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Jackson. -1.

**CARRIED.**

6. That the Hamilton and District Labour Council be granted permission to sell food and alcoholic beverages on the occasion of their Labour Day parade and picnic to be held on Monday, 1992 September 7, 12:00 noon to 5:00 p.m. at Dundurn Park subject to the following terms and conditions:
- (a) That proof \$2 million general liability insurance for property damage and bodily injury naming the City as co-insured be provided.
  - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, clean-up, etc.).
  - (c) That alcoholic beverages be served in the confined area of the pavilion.
  - (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Jackson. -1.

**CARRIED.**



7. That the Mozart Chamber Orchestra organizers be granted permission to sell food and alcoholic beverages on the occasion of the Lobsterfest 1992 August 29 in Dundurn Park from 6:00 p.m. to 1:00 a.m. subject to the following terms and conditions:
- (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury be provided same to be submitted 30 days in advance of the event and naming the City as co-insured.
  - (b) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up, etc.).
  - (c) That alcoholic beverages be served in the confined area of the Pavilion.
  - (d) That the applicant adhere to all regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (f) That all activities are to be monitored by the Special Events Advisory Team.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Jackson. -1.

**CARRIED.**

8. (a) That permission be granted to the Ontario Hang Gliding Association Inc. to fly paragliders from King's Forest in the area at the end of Mohawk Road in the former ski area.
- (b) That proof of \$2 million comprehensive general liability insurance for bodily injury and property damage naming the City as co-insured be provided.



9.
  - (a) That approval be given to the Hamilton Street Railway Company to install a 5 foot x 10 foot bus shelter in Mahoney Park located on Barton Street East opposite Walter Street to the satisfaction of the Manager of Parks.
  - (b) That the Mayor and City clerk be authorized to execute the necessary lease agreement in a form satisfactory to the City Solicitor.
  - (c) That it is understood and agreed that the Hamilton Street Railway will remove the said bus shelter if required by the City for any purpose, given thirty (30) days written notice without reservation.
10.
  - (a) That a purchase of land from Ontario Hydro for roadway purposes being Part 8, Registered Plan 62R-8743 comprising a total area of 258.8 square metres (2,785.79 square feet) more or less, located south of Greenhill Avenue and representing a portion of the accessway to Rosedale Arena be approved and completed and the purchase price of \$564. be charged to Account No. CH5X303 00107 (Property-Transport-Capital Services Through Unsubdivided Land).
  - (b) That the Commissioner of Transportation and Environmental Services be requested to prepare the necessary by-laws to incorporate this parcel into a public highway together with the private access driveways leading to King's Forest Golf Course and King's Forest Park upon completion of this transaction.
  - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
11.
  - (a) That the leasing of 563 Aberdeen Avenue to D. C. Smith be approved and completed. The tenancy is to commence 1992 June 1, at a one time rental of \$100. due to cleaning and decorating required, which has been agreed to be carried out by the tenant. Commencing 1992 July 1, the monthly rental of \$275. (including taxes of \$1,893.04 for 1992) be credited to Account No. CH44104 31106 (Civic Properties Rental).
  - (b) That the Mayor and City Clerk be authorized and directed to execute the tenancy agreement in a form satisfactory with the City Solicitor.



12. That an agreement satisfactory to the City Solicitor be entered into with Mrs. Ruth Stefan, Hamilton, for the leasing of the food and beverage concessions at Globe and Gage Parks during 1992 and 1993, with the option in favour of the City to renew for 1994, being the only proposal received in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's submission as follows:

	<u>Flat Fee Per Year</u>		<u>Option Period</u>
	<u>1992</u>	<u>1993</u>	<u>1994 Jan. - 1994 Dec.</u>
Gage Park	\$ 100.	\$ 100.	\$ 100.
Globe Park	\$ 1,000.	\$1,000.	\$1,000.

13. That a purchase order be issued to Wesco, Hamilton for the supply and delivery of light fixtures and poles as and when required during 1992 for the Parks Division of the Public Works Department, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through Stock Account No. CH56197 60999.
14. (a) That purchase orders be issued for the supply and installation of water spray pads at seven (7) City parks being the lowest tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders as follows:

<u>Harm Schilthuis &amp; Sons, Ancaster</u>	\$190,626.50
Mountview, Mount Lions Templemead Parks	

<u>Blacktop Enterprises Ltd., Hagersville</u>	\$423,353.30
Kennedy, Gershome, Montgomery and Trenholme Parks	

Above prices include all taxes and contingency allowances (c/a).



(b) That these expenditures be financed through the following approved accounts.

Mountview Park

Total

Account No. 703 DEV050 CH56398 62910 \$59,042.60  
c/a \$9,000.

\$68,042.60

Mount Lions Park

Account No. 703 DEV051 CH56398 62910 \$70,641.40  
c/a \$9,000.

\$79,641.40

Templemead Park

Account No. 703 DEV060 CH56398 62910 \$37,942.20  
c/a \$5,000.

\$42,942.20

Kennedy East Neighbourhood Park, Phase I

Account No. 703 DEV048 CH56398 62910 \$104,234.05  
c/a \$10,000.

\$114,234.05

Gershome Neighbourhood Park

Account No. 703 DEV042 CH56398 62910 \$79,512.77  
c/a \$9,000.

\$ 88,512.77

Montgomery Park

Account No. 703 DEV052 CH56398 62910 \$81,035.92  
c/a \$12,000.

\$ 93,035.92

Trenholme Park, Phase II

Account No. 703 DEV061 CH56398 62910 \$115,571.24  
c/a \$12,000.

\$ 127,571.24



15. That a purchase order be issued to Ark-Tech Contracting Ltd., Ancaster, in the amount of \$99,155.83 including all applicable taxes, to install baseball diamond lighting at Mohawk Sports Park, being the lowest of three tenders received in accordance with specifications issued by the Manger of Purchasing and Vendor's tender and that this expenditure be financed through Work Done for Others Account No. CH56398 62910 (\$86,000.) and Mohawk Sports Park Account No. CF5200 62875 4001 (\$13,155.83).
16. That a signing authority for the following positions in the Cemetery Division of the Public Works Department be approved:
  - (a) Manager of Cemeteries
  - (b) Administrative Co-ordinator
  - (c) Stenographer

The above positions are to process the non-discretionary contracts established by the Cemetery Act effective 1992 July 1 for:

- (a) Prepayment of interment certificates
  - (b) Deeds for property owners and
  - (c) Contracts for cemetery supplies and services between the City of Hamilton and the client purchasing the gravesite.
17.
  - (a) That the Ministry of Tourism and Recreation Capital Grants funds in the amount of \$475,000. be allocated to the Capital Construction costs pertaining to the Sackville Hill Senior's Recreation Centre.
  - (b) That the total cost of the project be increased by \$194,000. to offset the cost for the major capital fixtures that enhance the recreational opportunities and achieve the program objectives in compliance with the Capital Grant Application to the Ministry of Tourism and Recreation.
  - (c) That the Finance and Administration Committee be requested to recommend the method of financing.



18. (a) That the formal display of plaques attached hereto as Appendix "A" commemorating the opening of the Sackville Hill Seniors' Recreation Centre, 780 Upper Wentworth Street, Hamilton to be installed on the main foyer wall, be approved.
- (b) That a formal plaque recognizing Mr. Sackville Harry Hill to be installed in the entrance way to the building, be approved.

- (c) That Bob Rae, Premier of Ontario, be recognized on the commemorative plaque to be mounted on the Sackville Hill Seniors' Recreation Centre.

ADDED AND CARRIED.

19. (a) That the current twilight golf course green fees be revised as follows:

	<u>PRESENT</u>	<u>REVISED 1992</u>
CHEDOKE		
(Martin)	\$19.	\$14.
(Beddoe)	\$21.	\$16.
KING'S FOREST	\$21.	\$16.

- (b) That a pilot project introducing a \$13. Nine Hole Green Fee be implemented at King's Forest for the 1992 golf season.
- (c) That the hours be restricted to 7:00 a.m. to 8:30 a.m. weekdays.



20. (a) That Regional Council be requested to favourably consider a one time capital grant to "Earthsong" for capital improvements to Princess Point.
- (b) That Regional Council be asked to request that the Royal Botanical Gardens either reduce or waive the rental fee for the Earthsong Festival at Princess Point.
- (c) That Earthsong's organizers (Creative Arts) be encouraged to maximize festival revenues in order to eliminate any potential deficit.

Recorded vote on Section 20 (a)

YEAS: Mayor Morrow, Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. - 15.

NAYS: Alderman McCulloch -1.

**CARRIED.**

21. That the City commit one third of the necessary funds to a maximum of \$1,500,000. (one million, five hundred thousand dollars) for the stadium renovation or new stadium required to accommodate a Hamilton "AA" Baseball franchise.

**AMENDED AND LOST.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Jackson, Ross, D'Amico. -6.

NAYS: Aldermen Cooke, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson. -10.

**LOST.**

22. (a) That the Treasury Department be authorized to draw on the \$10,000. security deposited by the Hamilton Redbirds in order to pay the outstanding rental arrears for the use of Bernie Arbour Stadium for the year 1991 in the amount of \$6,750.
- (b) That a revised rental payment schedule and security scheme attached hereto as Appendix "B" be accepted for the year 1992.



23. (a) That permission be granted to the Tiger Cat Football Club to have a sky-diving exhibition by the Sky Bandits Sky Diving Team - Welland Flying Club, as part of the pre-game show scheduled for 1992 July 9 at Ivor Wynne Stadium.

(b) That proof of \$3 million comprehensive general liability insurance for bodily injury and property damage naming the City as co-insured, in a form satisfactory to the City Solicitor, be provided prior to the event. **ADDED AND CARRIED.**

24. That permission be granted to the Hamilton Tiger Cat Football Club to use Ivor Wynne Stadium for its next C.F.L. Home Game on 1992 July 9.

**ADDED AND CARRIED.**

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 June 23**



1992 June 30

Appendix 'A' as referred to in  
Section 18 of the THIRTEENTH  
Report of the Parks and Recreation  
Committee for 1992

*The Corporation of the City of Hamilton*



Commemorating and Celebrating  
The Official Opening Gala  
of the  
*Sackville Hill Seniors' Recreation Centre*

FRIDAY, SEPTEMBER 25, 1992

Robert M. Morrow  
Mayor, City of Hamilton

Tom Jackson  
Chairman, Parks and Recreation



*Recognition*

*This Building is erected to honour the Senior Citizens of this City in recognition of their dedication to the City of Hamilton.*

*Construction*

*This Seniors' Recreation Centre presents the foremost Facility in the Province and beyond. Planning and Development was a co-operative effort from the Feasibility Study to completion.*

Special Recognition to :  
Demik Construction Limited, General Contractor  
Richard G. Buterworth, Architect  
Stephen R. Teeple, Architect

*Sackville Hill Builders Wall*

*This special central feature of the Seniors' Recreation Centre will be known as the Sackville Hill Builders Wall. It recognizes the initial generous land contribution by Mr. Sackville Hill.*

*The Building Blocks start today with the names of those who have of themselves to realize a dream and for those who come tomorrow. To enhance the Facilities, Programs and Services each and every year. We take our hats off to the past and roll up our sleeves to the future.*



City of Hamilton  
Treasury Department

The Hamilton Redbirds

Proposed payment arrangement schedule for 1991 arrears  
and estimated rental payments due for the year 1992

Date	1992		Outstanding Liability	Security on Deposit	Security Applied	Security Balance	Payment Required	(1) Security Position	Unsecured Liability
	1991 Arrears	Monthly Rental							
June 30/92	6,750	2,000	8,750	10,000	(8,750)	1,250	0	1,250	0
July 15/92		4,500	4,500	1,250	(1,250)	0	3,250	0	3,250
August 14/92		3,750	3,750	0	0	0	3,750	0	3,750
September 15/92		250	250	0	5,000	5,000	5,250	5,000	250
October 15/92		0	0	5,000	5,000	10,000	5,000 (2)	10,000	0

Note: (1) Payments to be made by postdated cheques

(2) Subject to adjustment based upon actual 1992 games played

1992 June 30

Appendix "B" as referred to in  
Section 22 of the THIRTEENTH  
Report of the Parks and Recreation  
Committee for 1992



## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its ELEVENTH Report for 1992 and respectfully recommends:

1. (a) That City Council give approval to the "Intent to Designate" St. Thomas Anglican Church at 16 West Avenue South as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983 as outlined in the Reasons for Designation attached hereto and marked as Appendix "A"; and,  
  
(b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
2. That approval be given, pursuant to the provisions of the Ontario Heritage Act, 1983, for a two-storey rear addition to the former Princess Elizabeth School at 235 Bowman Street (now a Rabbinic Seminary) to accommodate a gymnasium, dining hall and additional residential accommodation, subject to the following conditions:
  - (a) Wall Construction  
  
Brick Masonry - rug brick to match existing as closely as possible in size, colour and texture.  
Trim - simulated stone or concrete to match existing stone trim.  
Rear Wall - the rear wall of the new addition would preferably be faced with the same brick as will be used on the side walls.
  - (b) Windows  
  
Same construction as original (steel sash) with similar proportions and detailing (i.e. multiple panes with slender muntin bars).



(c) Treatment of Base

Base line of existing building to be followed and defined in a similar manner with concrete banding.

(d) Connection of Existing Building and New Addition

New addition to have a clear visual separation from the existing building, by means of a setback, door openings and fenestration, and, use of materials.

(e) Detailing

To echo detailing of original building, particularly through the use of concrete banding and brick soldier courses.

3. (a) That a purchase order be issued to McLean-Peister Limited, Kitchener, in the amount of \$450,000. including all taxes and a contingency allowance of \$41,145.89, to provide landscape improvements, Central/Beasley/P.R.I.D.E., New Beasley Park, being the lowest of six tenders received.
- (b) That this expenditure be financed through Central/Beasley/P.R.I.D.E. Account No. CF5200 429102003 (\$227,000.) and Central/Beasley/P.R.I.D.E. H.I.N.T. Account No. CF5100 429002003 (\$223,000.)
- (c) That a contract be entered into satisfactory to the City Solicitor.
4. (a) That, within the Westdale Village B.I.A., the first alley south of King Street West from Newton Street to approximately 22 metres westerly be paved under the Commercial Improvement Programme at an estimated cost of eight thousand, eight hundred dollars (\$8,800.) plus contingencies; and,
- (b) That the Commissioner of Transportation and Environmental Services be authorized to construct these works on behalf of the City of Hamilton, once all necessary approvals have been received.



5. (a) That the City of Hamilton accept the sum of \$12,642. as a cash payment in lieu of the 5% land dedication in connection with Kingsview Estates-Phase 1, Hamilton, being the cash payment required under Section 51 of the Planning Act.

The lands of Kingsview Estates-Phase 1 are located south of Mohawk Road and west of Upper Kenilworth Avenue in the Lisgar Neighbourhood.

- (b) That the City of Hamilton accept the sum of \$22,740. as a cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates-Phase 1, Hamilton, being the cash payment required under Section 51 of the Planning Act.

The lands of Rymal Square Estates-Phase 1 are located south of Stone Church Road East and east of Upper Wentworth Street in the Butler Neighbourhood.

- (c) That the City of Hamilton accept the sum of \$33,000. as a cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates-Phase 2, Hamilton, being the cash payment required under Section 51 of the Planning Act.

The lands of Rymal Square Estates-Phase 2 are located south of Stone Church Road East and east of Upper Wentworth Street in the Butler Neighbourhood.

6. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 200 Nebo Road, Hamilton from the construction covenants to the City as contained in Instrument Number 61879 L.T., registered on 1977 September 15.
7. That a Designated Property Grant in the amount of one thousand and fourteen dollars (\$1,014.) be provided to Mr. Ian Bailey, 455 Bay Street North, Hamilton.
8. That a repayable loan under the Community Heritage Trust Fund in the amount of one thousand, four hundred and thirty dollars (\$1,430.) be approved for David W. Battrick, 150 Queen Street South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,



That a Designated Property Grant in the amount of one thousand, four hundred and thirty-one dollars (\$1,431.) be provided to David W. Battrick, 150 Queen Street South, Hamilton.

9. That a Commercial Facade Loan in the amount of thirty-nine thousand, six hundred and ten dollars (\$39,610.) be approved for Joseph Finocchio, 321-341 Ottawa Street North and 1078 Barton Street East, Hamilton. The interest rate will be 3-5/8 percent, amortized over 10 years.
10. That the Building Commissioner be authorized to issue demolition permits for the following:
  - (a) 492 Burlington Street East
  - (b) 208 Welbourn Drive
  - (c) 1505 Upper James Street
  - (d) 487 Burlington Street East
  - (e) 11 Holmes Avenue
  - (f) 13 Holmes Avenue
11. That the revised Terms of Reference for the Ferguson Avenue Redevelopment Advisory Committee, attached hereto and marked as Appendix "B", be adopted.
12.
  - (a) That Clause (A) in the Draft Plan of Subdivision Fontana Gardens condition be amended to delete the proposed walkway.
  - (b) That the Neighbourhood Plan be amended to delete the proposed walkway.
13.
  - (a) That approval be given to Official Plan Amendment No. 112 to implement the Carpenter Neighbourhood Plan by redesignating lands located in the neighbourhood from: "Residential" to "Open Space"; "Residential" to "Major Institutional"; and "Residential" to Utilities on Schedule "A" Land Use Concept, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
  - (b) That the proposed plan and policies for the Carpenter Neighbourhood forwarded to Council under separate cover, Appendix "C" be adopted by Council.



- (c) That the Region be requested to proceed with the realignment of Upper Paradise in the Falkirk West Neighbourhood, in order to align with the proposed extension in the Carpenter Neighbourhood Plan.
14. (a) That the report entitled Guidelines for an Integrated Central Business District: Focus Area prepared by John Mockrycke, Architect, be received;
- (b) That the Planning and Development Committee give authorization to hold a Public Information Meeting to consider the report Guidelines for an Integrated Central Business District: Focus Area prepared by John Mockrycke, Architect; and,
- (c) That staff examine appropriate mechanisms for implementation of the urban design suggestions contained in the report Guidelines for an Integrated Central Business District: Focus Area and report back to the Planning and Development Committee.
15. (a) That the City of Hamilton accept the offer of the owner of 11-13 Holmes Avenue to either relocate the existing building located on the property in its entirety or dismantle and store the building;
- (b) That staff be directed to report back to the Planning and Development Committee on potential sites to relocate the building or a location where it can be stored.
16. That the total outstanding Ontario Home Renewal Programme loan for Mr. J. Ramirex, 221 Fairleigh Avenue South, Hamilton, in the amount of \$1,583.84 be placed on the Tax Rolls.
17. That appropriate staff from the Building, Law and Planning Departments be directed to represent the City at the Ontario Municipal Board Hearing on 1992 June 28 for Committee of Adjustment Application A-91-65, No. 23 Lottridge Street. The denied application was to permit an existing converted two-family dwelling.
18. (a) That approval be given to City Initiative 82-Q, to provide for updating and clarification of Zoning By-law No. 6593, for the provisions identified in Appendix "D" (distributed to Council members under separate cover); and,



- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
  - (c) That the proposed changes to the Zoning By-law are in conformity with the Official Plan for the Hamilton Planning Area.
19. That approval be given to City Initiative 89-A to provide for amendments to Zoning By-law No. 6593, respecting the regulation of satellite dishes, on the following basis:
- (a) That Section 2.(2)H of Zoning By-law No. 6593 be amended by adding the following definition of a satellite dish:
    - (vica) "Satellite dish" shall be defined as a concave directional antennae having a diameter of one metre or more which is used or intended to be used to send or receive signals to or from satellites.
  - (b) That Section 18 of Zoning By-law No. 6593 be amended by adding a new subsection to the following effect:

"Special Requirements for Satellite Dishes"

    - (13) Notwithstanding any other provision of this By-law, the following provisions shall apply to every satellite dish:
      - (1) Except as provided in paragraph (2), only one satellite dish shall be permitted on every lot in a residential district, and shall comply to the following:
        - a) located only in a rear yard;
        - b) set back a distance of not less than the diameter of the dish from every side and rear lot line;
        - c) a height not exceeding 4.5 m including the support structure;



- (2) Satellite dishes shall be permitted and only located on the roof of a multiple dwelling or the roof of the principal building in a non-Residential District, and Section 2.(2)J.(ix) shall not apply to every such satellite dish.
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
  - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
20. That Zoning Application 91-57, Peter Georgakopoulos, owner, requesting a further modification to the established "M-12" (Prestige Industrial) District regulations, to permit a restaurant within the existing building, in addition to the existing catering and banquet facility, for the property located at 1050 Rymal Road East, as shown on the attached map marked as Appendix "E", be denied for the following reasons:
- (a) it conflicts with the intent of the "M" District Review which would permit such use in the "M-11" District only. In this regard, the proposal is premature pending the completion of the study;
  - (b) it represents an over intensification of land use in that one hundred thirteen (113) parking spaces are required, however only sixty (60) parking spaces can be provided on site. Approval of the application would result in parking "spillover" problems onto surrounding properties and Rymal Road;
  - (c) approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law; and,
  - (d) there appears to be an adequate supply of appropriately zoned lands in the Mountain Industrial Area where the proposed use could be located.
21. A. That approval be given to Zoning Application 92-13, Hillcrest Masonic Temple Corporation (Kenneth Schweitzer, President), owner, requesting a modification to the "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for a lodge (masonic temple) only within the existing building, for the property located at 257 Mohawk Road West, as shown on the attached map marked as Appendix "F", on the following basis:



- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 9(1) of Zoning By-law No. 6593, a lodge (masonic temple) shall be permitted only within the existing building;
  - (ii) That notwithstanding Section 18A(1) of Zoning By-law No. 6593, a minimum of forty-one (41) parking spaces shall be provided and maintained on the subject lands;
  - (iii) That notwithstanding Section 18A(26), of Zoning By-law No. 6593, the access/egress driveway along the westerly property line shall be located not less than 1.5 m minimum from the common boundary with the residential district;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1275, and that the subject lands on Zoning District Map W-9 be notated S-1275;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9 for presentation to City Council;
- (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

(B) That Site Plan Control By-law No. 79-275, as amended by By-law 87-223, be amended by adding the subject Lands to Schedule "A".

22. That approval be given to amended Zoning Application ZA-92-15, 815488 Ontario Inc. (Nella Bradt), owner, requesting a further modification to the existing "DE-3" (Multiple Dwellings) District, to permit the development of the subject lands for four storey, 72 unit senior citizens multiple dwelling (retirement home with support services), for property located at 1489 to 1495 Upper Gage Avenue, as shown on the attached map marked as Appendix "G", on the following basis:



- (a) That the "DE-3" (Multiple Dwellings) District regulations as set out under Section 10C of Zoning By-law No. 6593, as amended by By-law Nos. 87-118 and 90-71, applicable to the subject lands, be further modified to include the following variances as special requirements:
- (i) That notwithstanding Section 2(2)A(viii) and Section 10C(1)(vi) of Zoning By-law 6593, a senior citizens multiple dwelling with not more than 72 housekeeping dwelling units shall be permitted;
  - (ii) That notwithstanding Section 10C(1) of Zoning By-law 6593;
    - (1.) a central kitchen, a common dining room and lounge area shall be permitted only in conjunction with a senior citizens multiple dwelling; and,
    - (2.) an indoor amenity area of not less than 140 m<sup>2</sup> shall be provided and maintained.
  - (iii) That notwithstanding Table 1 of Section 18A, a minimum of 40 parking spaces shall be provided and maintained for a senior citizens multiple dwelling not containing more than 72 housekeeping dwelling units; and,
  - (iv) That for the purposes of this By-law, a senior citizens multiple dwelling means a multiple dwelling within which all residents are at least 60 years of age or older.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1009b, and that the subject lands on Zoning District Map E-49D be notated S-1009b;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, as amended by By-law Nos. 87-118 and 90-71, and Zoning District Map E-49D for presentation to City Council; and,
- (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.



23. (a) That approval be given to Zoning Application 91-82, Domenico DeRosa, owner, for a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations, to permit accessory parking on the lands shown as Block "1", and a further modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to permit an expansion to the rear of the existing bakery located on the lands shown as Block "2", for properties located at 547 and 549 Wilson Street and 79 and 81 Sanford Avenue North, as shown on the attached map marked as Appendix "H", on the following basis:
- (i) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:
- (1.) That notwithstanding Section 10(1) of By-law No. 6593 the following uses shall be permitted:
- (a) Industrial Use:
- A bakery on Block "2"
- (b) Commercial Use:
- One business identification sign that is a window sign or a wall sign that complies with the following requirements:
- A. The total aggregate area of the sign shall not exceed 2.5 m<sup>2</sup>.
- B. The sign shall not be illuminated except by non-flashing indirect lighting.
- (c) Accessory Use:
- A. A restaurant having a maximum seating capacity of 12 persons on Block "2".



B. Parking area on Block "1".

- (2.) That notwithstanding Section 10(3)(i) of By-law No. 6593, a front yard of a depth of at least 3.0 m shall be provided and maintained for the building located on Block "2";
  - (3.) That notwithstanding Section 10(3)(ii) of By-law No. 6593, a southerly side yard of a width of at least 0.10 m and a northerly side yard of 1.80 m shall be provided and maintained for the building located on Block "2";
  - (4.) That a landscaped area in the form of four 7.0 m<sup>2</sup> triangles shall be provided and maintained along the westerly lot line of Block "1" adjacent to the four parking spaces;
  - (5.) That a minimum 1.80 m high chain link fence shall be provided and maintained along the rear 8.5 m of the northerly lot line of No. 81 Sanford Avenue North (Block "2"), and along the rear 7.9 m of the easterly lot line of Block "1";
  - (6.) That a closed board fence not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly and northerly lot lines of Block "1";
  - (7.) That pedestrian access to or egress from the rear addition to the bakery /restaurant use located on Block "2" shall be prohibited;
  - (8.) That outside storage of any kind shall be prohibited on Blocks "1" & "2";
  - (9.) Except for only a rear one storey addition, the exterior of the building known as No. 81 Sanford Avenue North shall not be altered;
  - (10.) That notwithstanding Section 18A(9) of By-law No. 6593, part of the 3 required parking spaces and manoeuvring spaces shall be permitted off the lot on which the principal use, building or structure is located.
- (ii) That By-law No. 85-231, applicable to a portion of the subject lands (Block "2") be repealed;



- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-1276, and that the subject lands on Zoning District Map E-22 be notated S-1276;
- (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 for presentation to City Council;
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (vi) That the Gibson Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double Residential" to "Commercial".

- (b) That By-law No. 79-275, as amended by By-law 87-223 be amended by adding Block "1" to Schedule "A".

24. That leave be granted to introduce the following Bills:

- (a) Bill C-60      A By-law to amend Zoning By-law No. 6593 respecting lands located north of Rockview Avenue, west of the proposed extension of Crerar Drive
- (b) Bill C-61      A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 50 Christopher Drive
- (c) Bill C-62      A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 90-227 respecting land located at Municipal No. 1492 Upper James Street
- (d) Bill C-63      A By-law to adopt Official Plan Amendment No. 111 respecting lands located between Garth Street, Stone Church Road West, West Fifth Street and Rymal Road West, within the Sheldon and Mewburn West Neighbourhoods
- (e) Bill C-64      A By-law to designate portions of the north east and west neighbourhoods as a Community Improvement Project Area



- (f) Bill C-65      A By-law to adopt Official Plan Amendment No. 112 respecting lands located north and east of the Hamilton City limits, south of Rymal Road West and west of the proposed Garth Street extension, within the Carpenter Neighbourhood
- (g) Bill C-66      A By-law to amend Zoning By-law No. 91-075 respecting the Central/Beasley Community Improvement Plan
- (h) Bill C-67      A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law 90-311 respecting land located at Municipal No. 480 Rymal Road West
- (i) Bill C-68      A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 323 and 325 Wentworth Street North
- (j) Bill C-69      A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 89 Stone Church Road East
- (k) Bill C-70      A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 595 Rymal Road West
- (l) Bill C-71      A By-law to amend Zoning By-law No. 6593 respecting lands located on the east side of Garth Street, in the area between Rymal Road West and Claudette Gate, municipally known as the southerly portion of No. 1605 Garth Street
- (m) Bill C-72      A By-law to amend Zoning By-law No. 6593 respecting "Housekeeping" amendments

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello  
Secretary  
1992 June 24**



Appendix "A" referred  
to in Section 1 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992

**REASONS FOR DESIGNATION**

**Church of St. Thomas, 16 West Avenue South**

**Context**

The Church of St. Thomas, built in 1869-70, is located at the south-west corner of Main Street East and West Avenue South in the Stinson Neighbourhood. Although little remains along this section of Main East of the former streetscape of late 19th and early 20th century buildings, which once included First United Church, the Church of St. Thomas still serves as an important neighbourhood landmark. Today, the church presents its best appearance from West Avenue South, a residential street characterized by a pleasant mix of late Victorian housing, including the former 1870s brick rectory directly south of the church, and several early 20th century, low-rise apartments.

**Architectural Significance**

Designed by Hamilton architect, Albert H. Hilt, the Church of St. Thomas is one of the city's major 19th century Gothic Revival churches and among the last to be constructed of stone. With its asymmetrical form featuring a square corner tower, this church is very similar in design to All Saints Anglican Church, erected three years later. Exterior additions to the original church include the Sunday School added to the rear in 1874 (now the parish hall), the upper section of the tower completed in 1883, and the extension of the chancel in 1908. These additions, all executed in stone with Gothic Revival detailing, together with the original church form a visually unified complex which has been preserved intact.

**Historical Significance**

Historically important as the third oldest Anglican Church in Hamilton, the parish of St. Thomas was founded in 1856 as a mission of Christ's Church to serve Anglicans from the city's growing east end. When the congregation outgrew its first church building, erected in 1857 at the corner of Wilson and Emerald Streets, the present church was built on land donated by Ebenezer Stinson.

**Designated Features**

Important to the preservation of the Church of St. Thomas are the original features of the north, south and east facades of the church proper, including the stone masonry walls, buttresses, chimneys and carved mouldings, the windows and stained glass, and the doorways. Excluded is the former Sunday School addition on the west side of the church.



Appendix "B" referred  
to in Section 11 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992

**TERMS OF REFERENCE  
FOR THE  
FERGUSON AVENUE REDEVELOPMENT ADVISORY COMMITTEE  
OF THE  
CITY OF HAMILTON**

**PURPOSE:** To advise and make recommendations to the Planning and Development Committee of the City of Hamilton on the redevelopment of Ferguson Avenue. This committee will be established as a sub-committee of the Central Area Plan Implementation Committee and will report to the Planning and Development Committee directly.

**MANDATE:** The Committee is formed to facilitate the preparation of the terms of reference for the consultant study of Ferguson Avenue, to assist in the selection of the consultant, to provide feedback to the consultant as the work progresses, and to ensure the public participation component of the study. Specific issues to be examined are:

- Definition of the study area (i.e. Ferguson Avenue plus adjoining land - how far do the boundaries extend);
- Goals and objectives of the study;
- Terms of Reference for the work of the consultant.

**MEMBERSHIP:**

- Alderman, Ward 2;
- One citizen member and one alternate member from:  
North End East Neighbourhood;  
Beasley Neighbourhood;  
Corktown Neighbourhood;  
Central/Beasley PRIDE HINT Committee;  
International Village Business Improvement Area;  
Central/Beasley Neighbourhood Plan Review Committee  
(when formed);
- One representative and one alternate member from CAPIC;
- One representative and one alternate member from the Urban Design Committee.

Other groups to be consulted where appropriate are:

- Centremount Neighbourhood Association
- Barton General Business Improvement Area;
- Cannon Street Business Association;



- LACAC;
- Regional Bicycle Advisory Committee;
- Citizens for Citizens;
- Municipal Non-Profit Housing Corporation;

A Chairperson and Vice-Chairperson will be elected by the members.

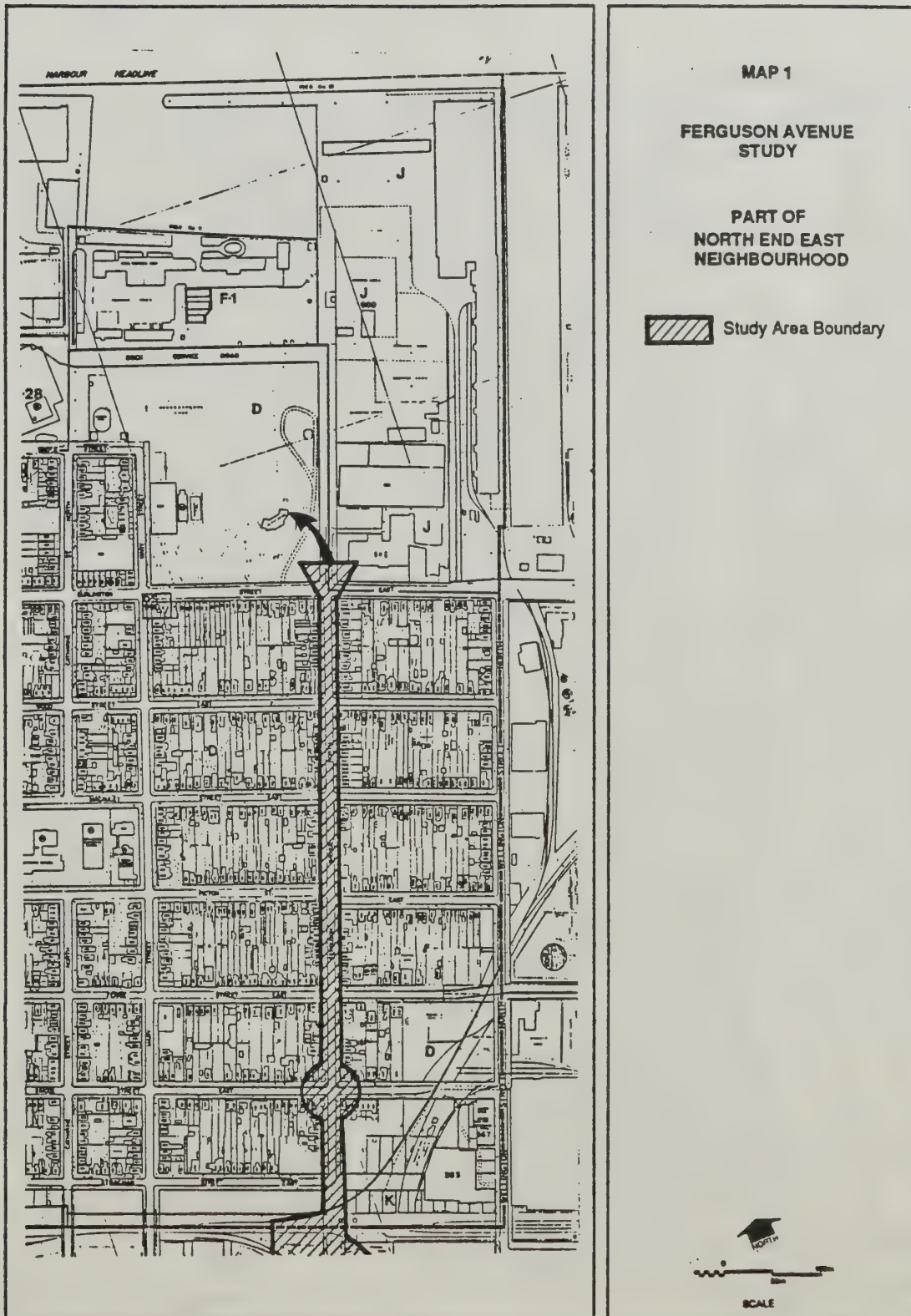
Staff will consist of the coordinator (a staff person from the Public Works Department - Community Renewal) and support staff from the Planning and Development Department, Traffic Department, Culture and Recreation Department, Public Works Department, Engineering Department, and Property Department. Other staff, as necessary, will be used as information sources for the committee.

**QUORUM:** A majority of members shall constitute a quorum.

**MEETINGS:** At the call of the Chairperson or as requested by a member of the Board through the Chairperson.

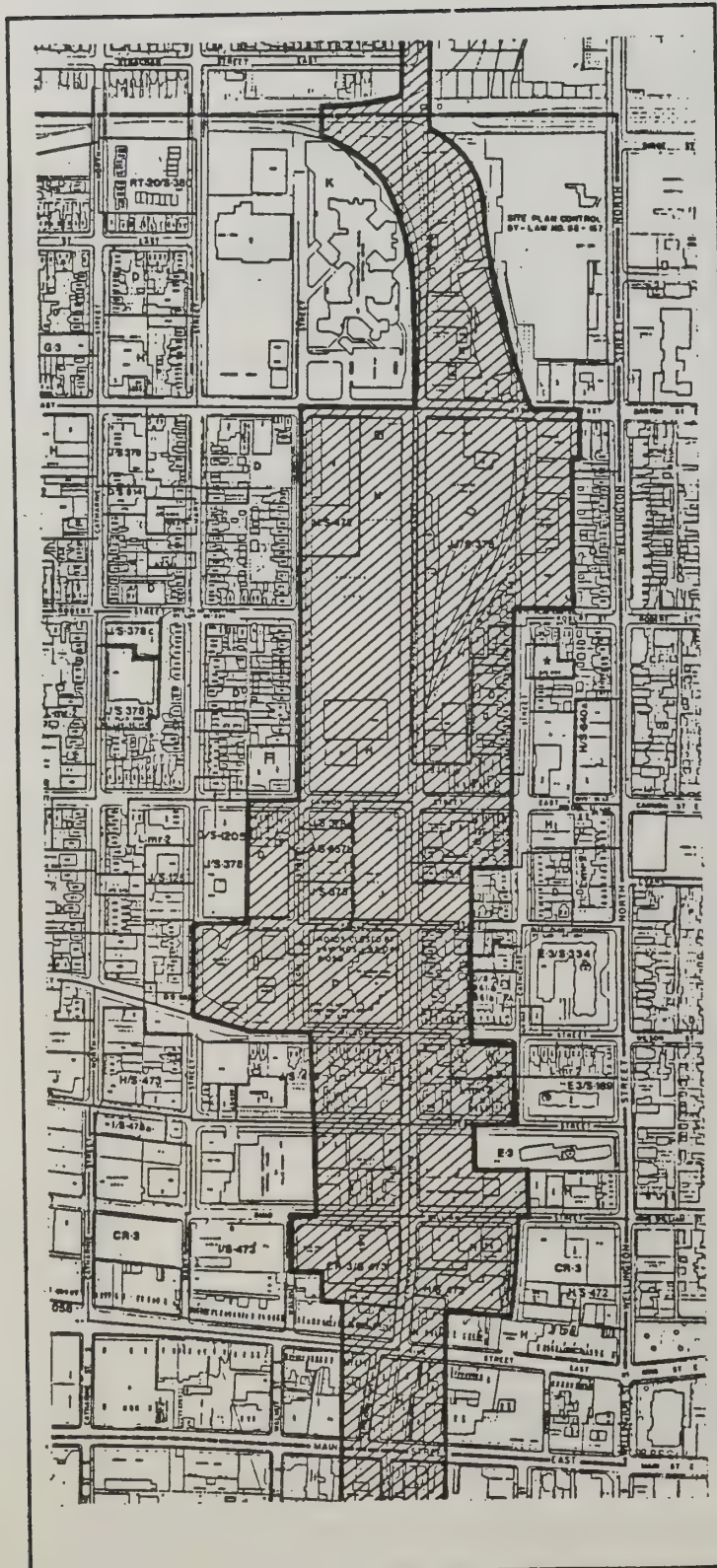
**REPORTING  
PROCEDURE:** The Committee will be a sub-committee of CAPIC and will report directly to the Planning and Development Committee.








1992 June 30

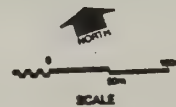


MAP 2

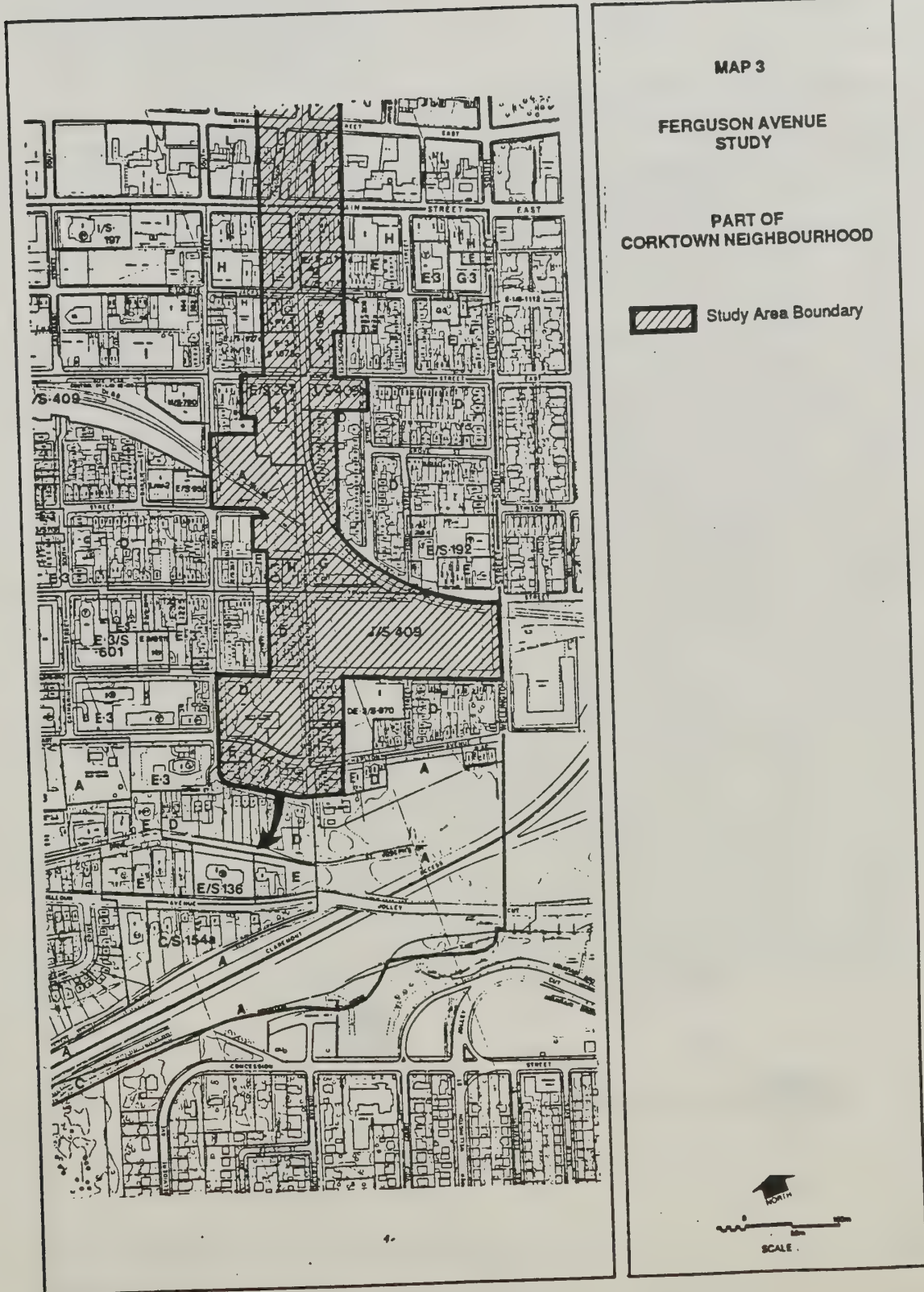
FERGUSON AVENUE  
STUDY

PART OF  
BEASLEY NEIGHBOURHOOD

 Study Area Boundary



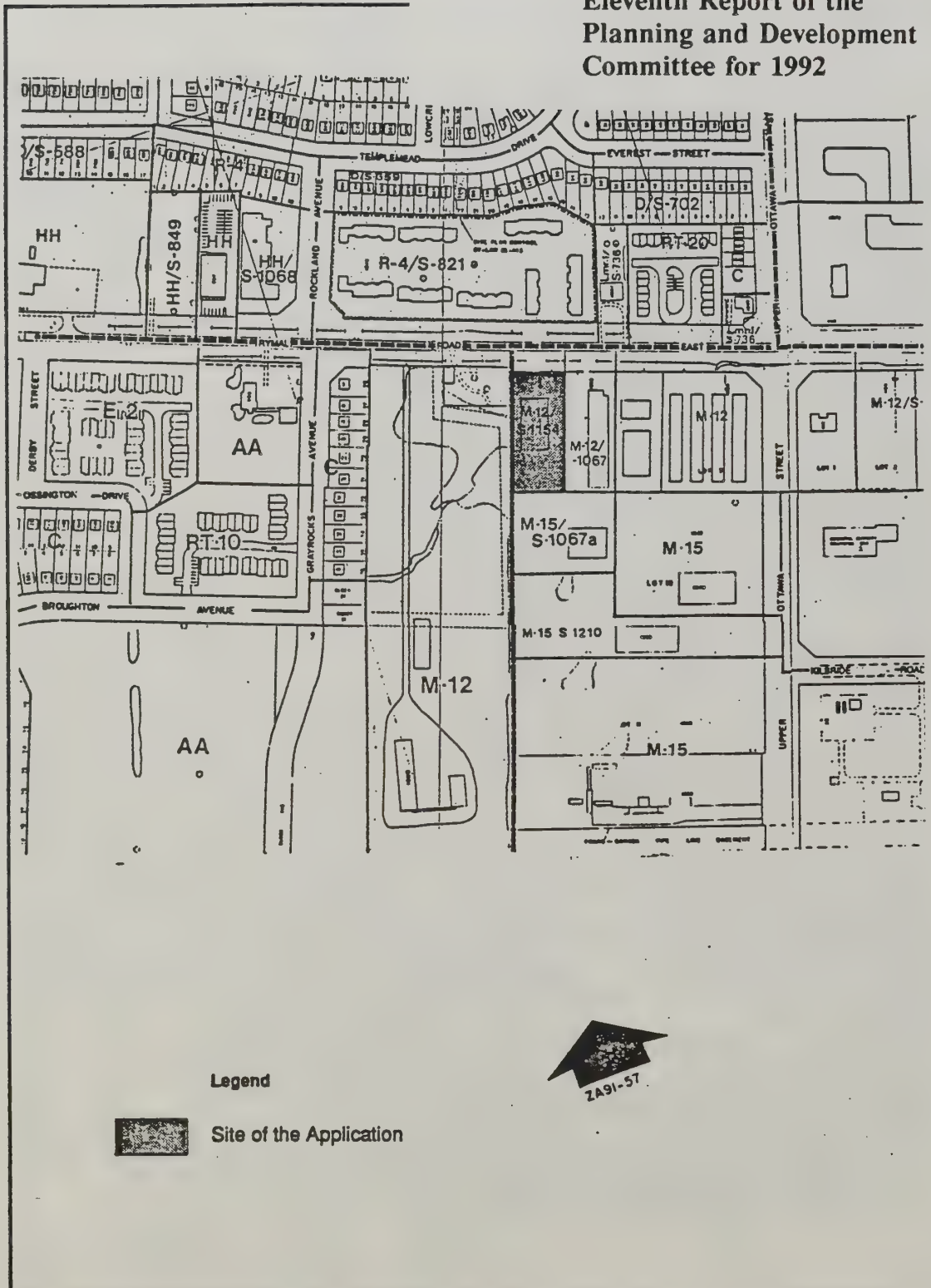






1992 June 30

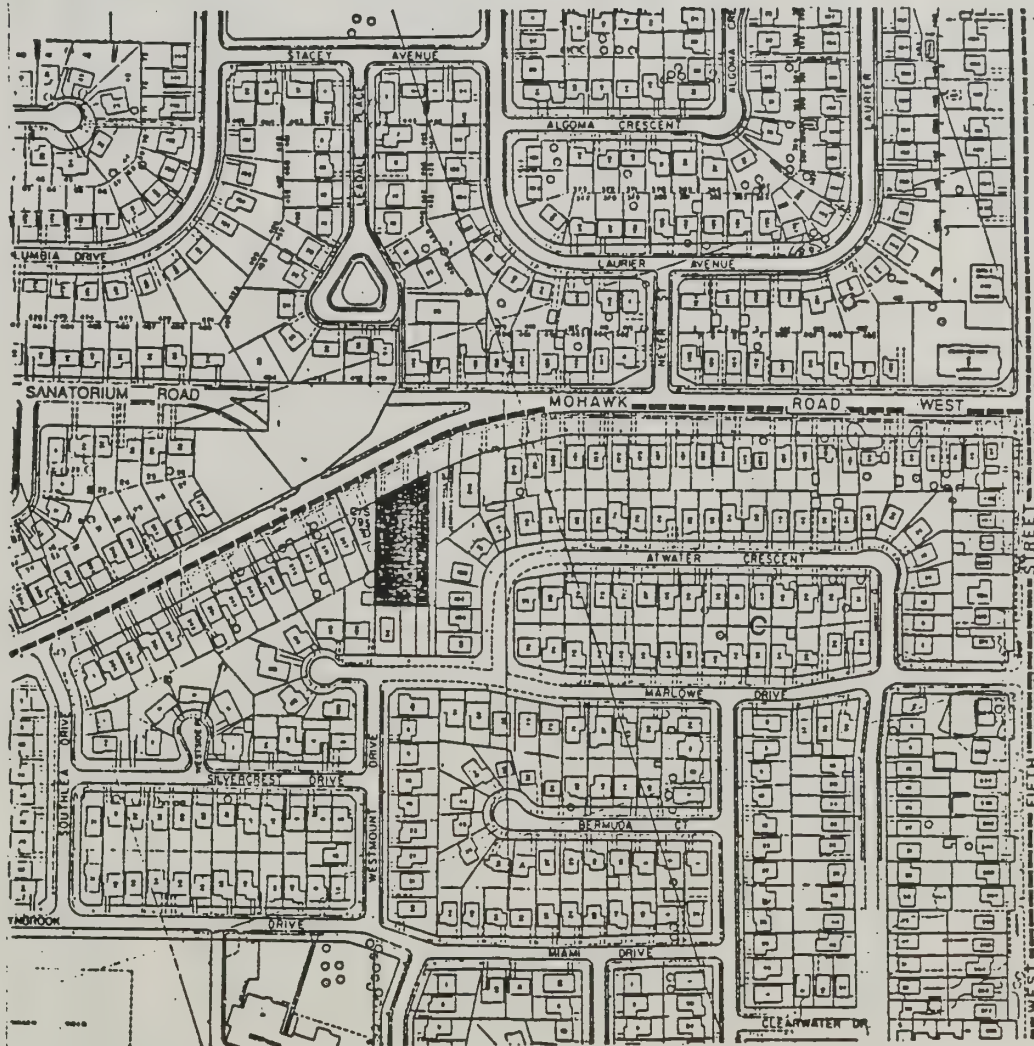
Appendix "E" referred  
to in Section 20 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992





1992 June 30

Appendix "F" referred  
to in Section 21A of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992



Legend



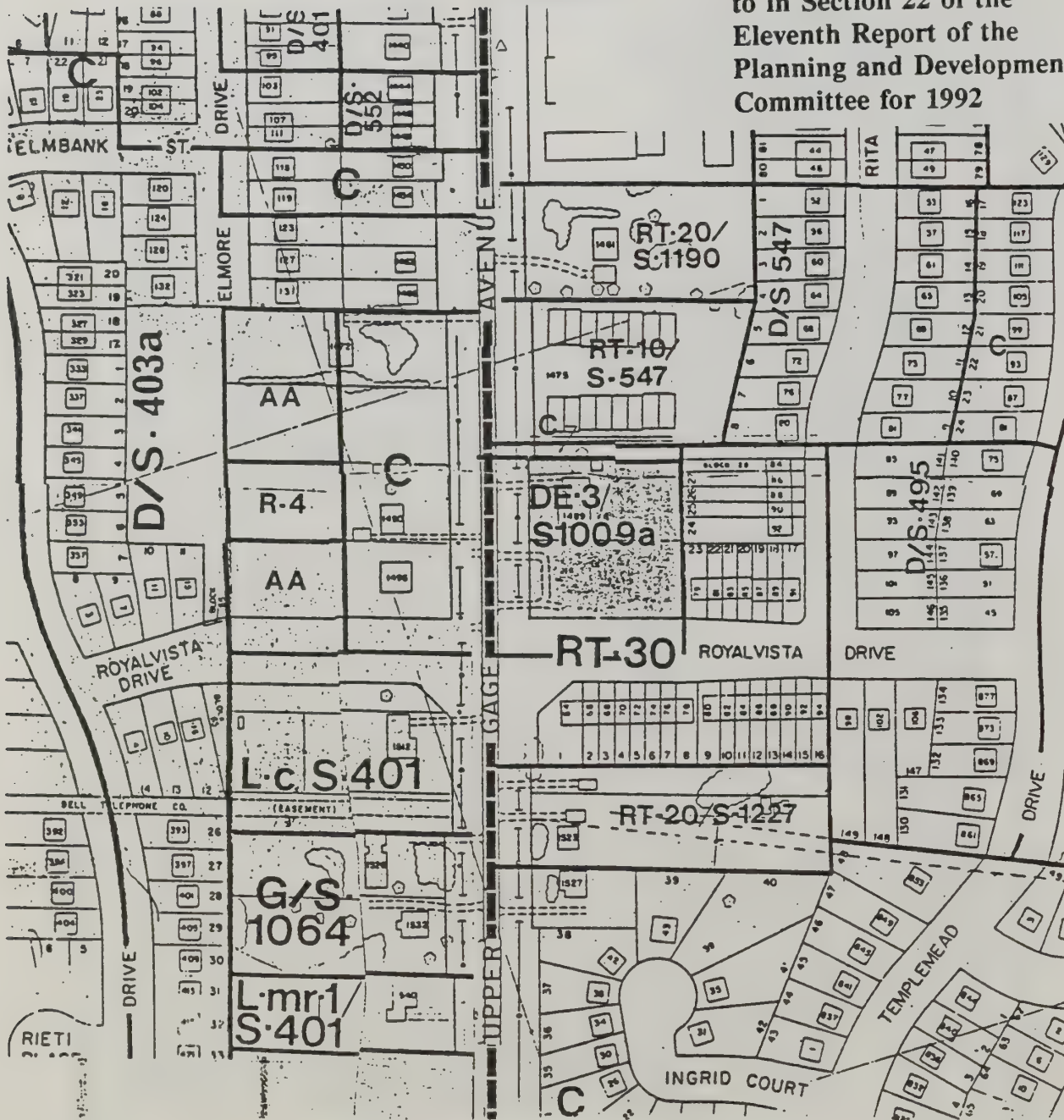
Site of the Application



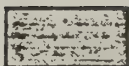


1992 June 30

Appendix "G" referred  
to in Section 22 of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992

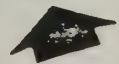


## Legend



Site of the Application

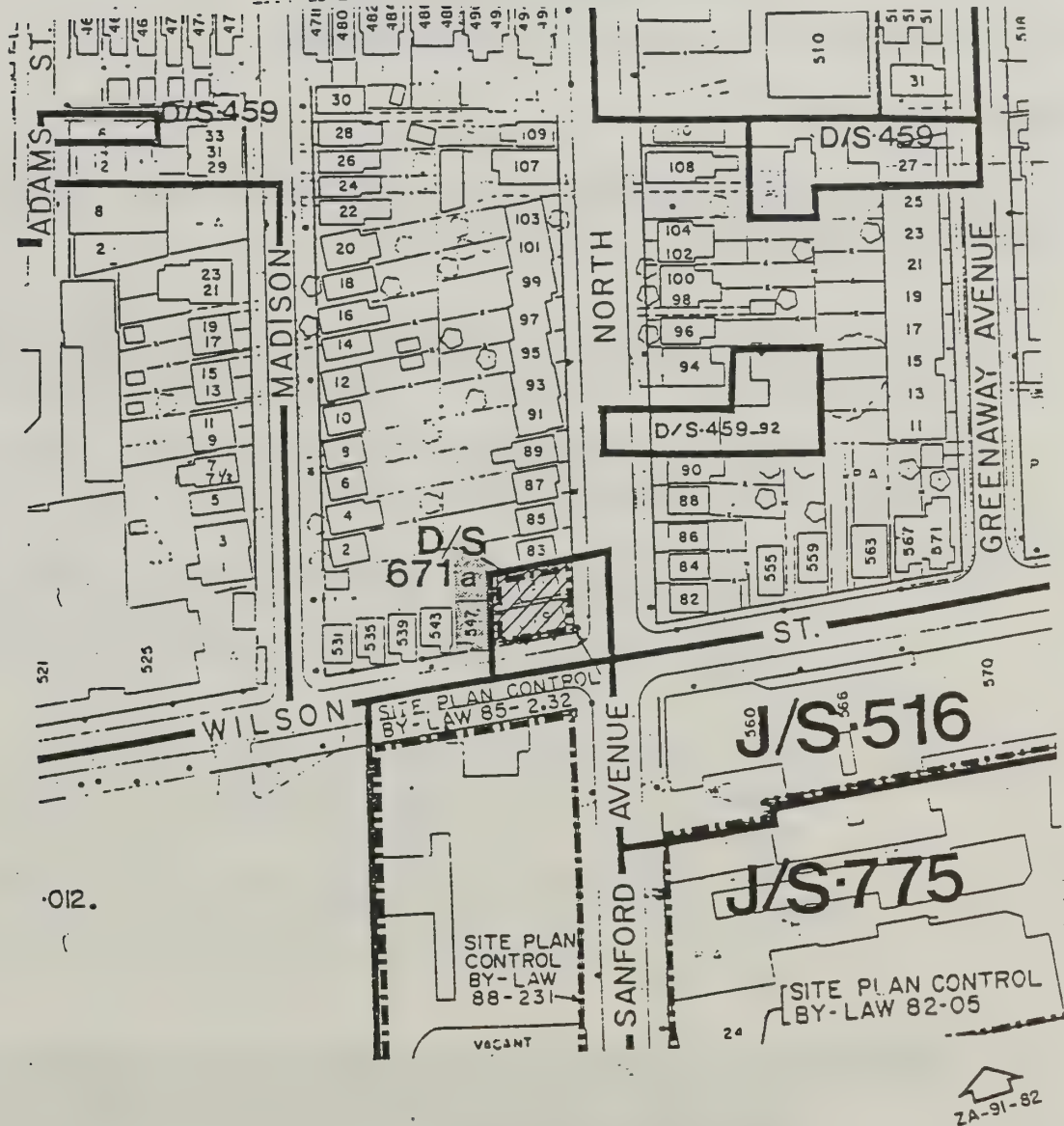
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ZA-92-15



Appendix "H" referred  
to in Section 23(a) of the  
Eleventh Report of the  
Planning and Development  
Committee for 1992





## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1992 and respectfully recommends:

1. That the following actions be undertaken for the residential enclaves located north of the CN tracks, from Victoria Avenue North to east of Kenilworth Avenue North:
  - (a) retain the "Industrial" designation in the City's Official Plan and the "K" (Heavy Industry) District zoning for all the enclaves;
  - (b)
    - (i) the acquisition program established 1981 for Leeds, Biggar and Stapleton be abandoned completely and, no residential lands will be acquired by the City for industrial purposes in the Land, Beatty and Rowanwood enclave; and,
    - (ii) the acquisition program for Alpha East (east of Sherman Avenue North), which was put on hold in December, 1989, be resumed for the approximately 11 residential properties remaining, on a willing seller/willing buyer basis with no expropriation contemplated. Funds will be utilized from the existing Capital Budget (Account No. 308750001), as well as the funds realized from the sale of lands in Alpha West.
    - (iii) That the staff of the Planning Department be directed to report back to the Planning and Development Committee on the process involved to rezone the enclave lands to "residential". **ADDED AND CARRIED.**



1992 June 30

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary  
1992 June 30**



## **REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1992 and respectfully recommends:

1. (a) That a purchase order be issued to Demik Construction Limited, Hamilton, in the amount of \$57,459. including applicable taxes for renovations to Birge Pool, Birge Street, Hamilton, being the lowest of eight quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.
- (b) That this expenditure be financed through Operating Account No. CH56103 31330.
- (c) That, as this work is to commence as soon as possible to meet the scheduled opening date of 1992 June 22, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".
2. (a) That a purchase order be issued to A-Skylight Window Cleaning Company (1988) Ltd., Hamilton in the amount of \$93,000., plus G.S.T., to clean the interior and exterior windows of City Hall, the City Hall Garage, and the Football Hall of Fame and the exterior marble at City Hall during 1992, 1993 and 1994 with an option in favour of the City to extend for three additional one year terms, being the lowest tender submitted to meet specifications, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That these expenditures be financed through various approved Window Cleaning Accounts.



3. That a purchase order be issued to Fabco Data Inc., Hamilton, for the supply and delivery of various computer and word processing supplies as and when required for a 12 month term, being the lowest of four tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through various approved accounts.
4. That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, for the supply and delivery of fatigue uniforms as and when required during 1992 for the Hamilton Fire Department, being the lowest of three tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Uniforms, Clothing Account No. CH56104 48001.
5. That as referred to in Section 16 of the Eleventh Report of the Parks and Recreation Committee for 1992 and adopted by City Council on 1992 May 26th, the construction of two tennis courts and fencing at Gourley Park and the resurfacing of Rosedale Tennis Courts (4) at an estimated cost of \$42,800. be financed from the excess Reserve for Capital Projects funds remaining in the Huntington Tennis Court Renovation Account Centre No. 709154009 and the Huntington Tennis Court Account be closed.
6. That as referred to in Section 47 of the Seventh Report of the Transport and Environment Committee for 1992, the City's share of the cost of the construction of an independent concrete curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road as a Local Improvement at an estimated cost of \$46,100. be financed from the 1992 Capital Levy.
7. That as referred to in Section 48 of the Seventh Report of the Transport and Environment Committee for 1992, the City's share of the cost of the construction of concrete sidewalks on the west side of West 33rd Street at the west end of Elmwood Avenue, and at the east end of South Bend Road East (north side) at the north end of Holt Avenue, as a Local Improvement at estimated costs of \$2,500. and \$2,860. respectively, to a total of \$5,360., be financed from the 1992 Capital Levy.
8. (a) That approval be given to the action taken by the City Clerk in authorizing the Philippine Community to use the City Hall Council Chamber on Friday, 1992 June 12 from 4:00 - 5:00 p.m. for a Proclamation Ceremony to commemorate Philippine Independence Day.



- (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
- 9.
  - (a) That permission be granted to the McMaster Summer Drama Festival to place a sandwich board on the forecourt of City Hall from 1992 July 01 - August 04 inclusive to publicize the Second Annual McMaster Summer Drama Festival.
  - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
- 10. That permission be granted to the United Way Committee of the Regional Municipality of Hamilton-Wentworth to use the City Hall forecourt on Wednesday, 1992 July 15 from 11:00 a.m. - 2:30 p.m. for the Region's Annual United Way Barbecue.
- 11.
  - (a) That approval be given to the action taken by the City Clerk in authorizing the Victorian Order of Nurses to use Meeting Room 233 for a "Homecoming" Reception on 1992 June 15 from 2:00 - 4:00 p.m.
  - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
- 12.
  - (a) That permission be granted to the Women's Inter-Church Council to use the Council Chamber and Room 219 for the World Day of Prayer Service on 1993 March 05 from 11:30 a.m. to 4:30 p.m.
  - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
- 13.
  - (a) That permission be granted to the Public Works Department to fly the Canadian Occupational Health & Safety Flag at City Hall from 1992 June 21 - 27 in recognition of Canadian Occupational Health & Safety Week.



- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 14. (a) That permission be granted to the Boris Brott Summer Music Festival to use the City Hall forecourt from 1992 July 10 - August 21 to publicize the Fifth Annual Boris Brott Summer Music Festival.
- (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
- 15. (a) That approval be given to the action taken by the City Clerk in authorizing the Hamilton Brantford Building and Construction Trades Council of Ontario to use the forecourt on Saturday, 1992 June 20 at 9:00 a.m. for a Proclamation Ceremony to commence the DAD's Day Campaign (Dollars Against Diabetes).
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
- 16. (a) That permission be granted to the Hamilton Chapter of Project Ploughshares to use the Council Chambers on Sunday, 1992 August 09, at 2:00 p.m., for the Annual Memorial Observance of the Destruction of Hiroshima and Nagasaki, Japan.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 17. (a) That permission be granted to the Ontario Ministry of Health to use the Council Chambers on Wednesday, 1992 August 12 from 9:00 a.m. to 5:00 p.m., for the purpose of conducting public hearings on the Ontario Public Hospitals Act.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 18. That approval be given to the action of the City Clerk in authorizing the use of Room 233 and the east end second floor foyer on Saturday, 1992 June 27th from 10:30 a.m. - 12:30 noon and on Tuesday, 1992 June 30th from 2:00 - 4:00 p.m. by the Social Planning and Research Council - Settlement and Integration Services Advisory Committee.



19. That the Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 June 17, attached herewith and marked Appendix "A", be approved.
20. That the following constitute the Terms of Reference for the Hamilton Farmers' Market Sub-Committee:
  - (a) To maintain and increase the importance of the Hamilton Farmers' Market with local community, visitors, tourists and stallholders, as an integral part of the downtown core.
  - (b) To study, develop and make recommendations to maximize the potential viability and flow of goods and services.
  - (c) To liaise between stallholders and the City of Hamilton on matters relating to Market Operations and the Current Operating Budget.
21.
  - (a) That an Offer to Purchase by the City, duly executed by Thomas and Joan Russell on 1992 May 20 and scheduled for closing on or before 1992 August 5, for a portion of City owned property, composed of part of Parcel F, Plan 561, being more particularly described as having a length of 12.8 metres (42.1 feet) more or less, by a width of 12.9 metres (42.3 feet) more or less, being directly behind Lot 424 and part of Lot 423, Plan 561, known municipally as 159 East 34th Street, be approved and completed and the funds derived from this sale of \$1. be credited to Account Number CH 4X501 00102 (Sale of Land - Reserve for Property Purchases).
  - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
22.
  - (a) That a lease be entered into between the Corporation of the City of Hamilton as Landlord, and the Social Planning and Research Council of Hamilton and District (S.P.R.C.) as tenant, in a form satisfactory to the City Solicitor, for the premises known as 255 West Avenue North (formerly West Avenue School) on the following terms and conditions, subject to ratification by the Board of Directors of the Social Planning and Research Council:



- (i) a five (5) year, three (3) month term, commencing 1992 August 1, and terminating on 1997 October 31;
- (ii) a rental payment of \$40,000. per annum (gross) or \$3,333.33 per month, commencing the earlier of 1992 November 1, or thirty (30) days after renovations are completed, and ending 1994 October 31; escalating to \$42,000. per annum (gross) or \$3,500. per month for the period 1994 November 1, to 1995 October 31; \$43,000. per annum (gross) or \$3,583.33 per month for the period 1995 November 1 to 1996 October 31; and \$44,000. per annum (gross) or \$3,666.67 per month for the period 1996 November 1 to 1997 October 31;
- (iii) the tenant shall have the right to renew the lease for a further five (5) year period, with the rate and terms to be mutually agreed upon, six (6) months prior to the expiry of the lease;
- (iv) the rental payments made by the S.P.R.C. to the City shall include all charges for heating fuel, electricity, water and sewer charges, realty taxes and building insurance;
- (v) the tenant (S.P.R.C.) shall be responsible for the payment to the City of any increase in the annual operating costs of the building referred to in (iv) above, which are in excess of the base year operating costs (1992 November 1 - 1993 October 31);
- (vi) the tenant shall be responsible for the payment of business taxes, if any, and all telephone charges;
- (vii) the demised premises shall only be used for the purpose of office space and for the purpose of establishing a Self Help Centre;
- (viii) the tenant shall not assign or sublet the demised premises without the approval of the Landlord which may be arbitrarily withheld. The Lessee may, without the approval of the City, sublease for a term not exceeding the term of this lease, the use of classroom/gymnasium space to Self Help Group Associations and other public/social/charitable agencies, on a semi-permanent or periodic basis;



- (ix) the tenant shall be responsible for undertaking and paying for its own tenants improvements to the space. Renovation plans shall be provided to the City for its approval prior to any work being undertaken. Approval shall not be unreasonably withheld. All such improvements shall vest in the City without compensation to the tenant on expiry or termination of the lease;
  - (x) the City shall be responsible for major structural improvements to the building which includes the outer walls, the roof, main electrical service with the exception of electrical upgrades necessitated by the tenant's occupancy, and the heating plant;
  - (xi) the tenant shall maintain its own comprehensive general liability insurance for the protection of the City in an amount satisfactory to the City;
  - (xii) snow removal from the parking lot and abutting sidewalks and grass cutting and weed control shall be the responsibility of the tenant;
  - (xiii) notwithstanding the lease includes the use of the parking lot adjacent to the building, the tenant agrees that eight (8) spaces may be allocated to neighbourhood residents for parking purposes on a permit basis by the City;
- (b) That the Mayor and City Clerk be authorized to execute the lease with the Social Planning and Research Council for use of 255 West Avenue School in a form satisfactory to the City Solicitor.
- (c) That the City Solicitor be authorized to submit the City's application to the Ontario Municipal Board, for approval to assume the City's financial expenses as Landlord, and that the proposed lease not commence until this approval is received.
23. That approval be given to request proposals to study the feasibility of installing a natural gas cogeneration engine at the Central Utilities Plant at an estimated cost of \$25,000. The feasibility study may qualify for a financial incentive, up to 50% of the study cost, from the Ministry of Energy.



24. (a) That the withdrawal of the low bidder, Finspan Construction Limited, 1015 Matheson Blvd., Unit #5, Mississauga, Ontario, be accepted. The lump sum price was quoted as \$258,000. (two hundred and fifty-eight thousand dollars).
- (b) That the bid bond from Finspan Construction Limited be referred to the City Solicitor.
- (c) That a purchase order be issued to Memphis-Kendall Builders Inc., 1179-A King Street West, Studio 309, Toronto, Ontario, in the amount of \$355,654. (three hundred and fifty-five thousand, six hundred and fifty-four dollars) for the Data Centre renovations at Hamilton City Hall. This amount includes the estimated amount of \$22,654. (twenty-two thousand, six hundred and fifty-four dollars) for G.S.T.
- (d) That approval be given to enter into a contract, satisfactory to the City Solicitor, with Memphis-Kendall Builders Inc., 1179-A King Street West, Studio 309, Toronto, Ontario, for the Data Centre renovations at Hamilton City Hall. The contract amount will be \$355,654. (lowest of remaining 11 bidders acceptable).
- (e) That the Mayor and the City Clerk execute the contract on behalf of the City.
25. That the City of Hamilton pay one-third of the cost of hosting the banquet for the 1992 Canada Cup of Wrestling and Olympic Team at the Hamilton Convention Centre on 1992 July 1st. That one third of the cost would equal \$3,000. and that this amount be charged to the Special Civic Reception Hosting Account No. CH55314-84010. Private sponsors will pay the remaining two-thirds.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico. -13.

NAYS: Alderman Copps - 1.

**CARRIED.**



26. (a) That purchase orders be issued to provide caretaking services at various recreation centres during 1992, 1993, 1994, being the lowest acceptable of seven tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders and that these expenditures be financed through various approved accounts.

	Sept. 1 - Dec.31 <u>1992</u>	Jan.01 - Dec. 31 <u>1993</u> <u>1994</u>
<u>Part A</u>		
Alpha Cleaning Services, Hamilton	\$33,456.44	\$100,369.44   \$100,369.44
<u>Part B</u>		
Sunshine Building Maintenance, Burlington	\$36,932.62	\$111,061.08   \$112,059.24

Above prices include G.S.T. and reflect discounts allowed.

- (b) That these janitorial services be effective 1992 September 01.
27. That the following resolution from the Town of Ancaster respecting the Proposed New Provincial Labour Law be received:

WHEREAS independent economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

WHEREAS they will cause a decline in investment in Ontario; and

WHEREAS they will seriously undermine the recovery and the maintenance of a sound economic environment in the province; and



WHEREAS they will prevent municipalities from providing essential services during a strike.

NOW, THEREFORE, BE IT RESOLVED:

THAT we, the Council and the Town of Ancaster, strongly urge that the Ontario Government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario, and

THAT a copy of this resolution be forwarded to the Hon. Bob Rae, Premier of Ontario; the Hon. Bob MacKenzie, Minister of Labour; our local M.P.P. Don Abel; leaders of the Ontario Liberal and Progressive Conservative parties; the Association of Municipalities of Ontario; and to the Councils of the Regional Municipality of Hamilton-Wentworth and the Area Municipalities, requesting their support.

28. That the following resolution from the Corporation of the City of Brampton respecting Refugee Claimants be received:

WHEREAS the number of persons seeking refuge in Canada is increasing at an alarming rate;

WHEREAS the only requirement for a foreign person to qualify for refugee status is to land in Canada and claim to be a refugee;

WHEREAS Canada has the most liberal regulation of all the industrialized countries in dealing with refugee claimants;

WHEREAS Canada accepts the largest percentage of refugee claimants of any industrialized country: Canada 65%, Germany 5%, U.S.A. 15%, Britain 25%;

WHEREAS some of these successful refugee claimants are actually criminal element escaping justice in their own countries;



WHEREAS new arriving refugee claimants are totally supported by the Canadian tax payers up to two years before a hearing takes place to determine whether in fact they are refugees;

WHEREAS funds are diverted from traditional programs such as health and education to finance refugee support;

WHEREAS a number of these illegal refugee claimants are making a mockery of the Canadian legal system;

THEREFORE be it resolved that the Council of the City of Brampton petition our local M.P.'s and the Federal Government to revise the constitution to stop the uncontrolled flow of refugee claimants to Canada.

29. (a) That the Equipment Depreciation Codes that indicate the life expectancy of various specified Fleet vehicles be adjusted as indicated on Table 1 entitled "Vehicle Depreciation - Amendments" attached herewith and marked Appendix "B", and
- (b) That the consolidated schedule of rates of depreciation, after amendments, as shown on Table 2 entitled "Vehicle Depreciation Codes" attached herewith and marked Appendix "C", be confirmed.
30. (a) That the Treasurer be authorized to call for proposals for an insurance consultant to examine the operations of City Departments, Local Boards, H.E.C.F.I. and City-Owned Companies, and:
  - (i) Recommend areas for which the City should self-insure;
  - (ii) Recommend areas for which the City should purchase insurance on the market to include types of insurance, coverage, deductibles, etc.;
  - (iii) Recommend the method by which the City should obtain insurance coverage, i.e. continue with Advisory Committee, public or selective tender, retain broker, etc.;



- (iv) Study the Reserve for Uninsured Losses and recommend a level of funding for the Reserve in view of known claims where there is a possible liability and (i) and (ii) above;
  - (v) Assist in preparation and analysis of any Request for Proposals, if necessary, for the retention of a full service broker and/or for the purchase of insurance.
- (b) That the Treasurer be authorized to maintain existing insurance coverage to 1993 March 31, obtaining appropriate insurance policies (subject to cancellation).
31. That outstanding business taxes in the amount of \$163,572.97, be written off in accordance with Section 441 of The Municipal Act, R.S.O., 1990, and charged to Account CH53401-24106, Tax Write-Offs. Copies of the Schedule outlining these outstanding business taxes were presented to the Finance and Administration Committee and are available from the Committee Secretary upon request.
32. That in order to improve the collection of accounts from tenants of major park facilities and concession areas in future Agreements with the City:
- (a) A security deposit be required equal to the estimated annual revenues and any miscellaneous costs to be recovered by the City for the operation of the facility.
  - (b) The security be lodged with the City Treasurer prior to any use of the facilities by the tenant.
  - (c) The security be in the form of cash, certified cheque, letter of credit, or other instrument satisfactory to the City Treasurer.
  - (d) Billing processes be reviewed to ensure that the Treasury Department receive the information on a more timely basis in accordance with the Agreements or in accordance with the actual use of the facility if the Agreement has not been finalized.
33. (a) That as referred to in Section 17 of the Thirteenth Report of the Parks and Recreation Committee for 1992, the gross cost of the construction of a Senior Citizen's Centre at Sackville Hill Memorial Park be increased by \$194,000. from \$3,500,000. to \$3,694,000. to offset the cost for major capital fixtures.



- (b) That the City Solicitor be authorized to revise the Ontario Municipal Board approval No. E901383 dated 1991 February 8 for the above project by increasing the gross cost from \$3,500,000. to \$3,694,000. and reducing the debenture authority by \$281,000. (due to the receipt of a provincial grant of \$475,000.) from \$3,500,000. to \$3,219,000.
34. (a) That as referred to in Section 62 of the Seventh Report of the Transport and Environment Committee for 1992, the City's share of services for the following Subdivisions in the total amount of \$541,141.80 be financed from the Reserve for City's Share of Services through Unsubdivided Lands up to the amounts available and the remaining balance from the Reserve for Capital Projects:
- (i) Acadia Estates - City's share \$59,478.
  - (ii) Primecan Estates - City's share \$328,994.
  - (iii) Rymal Square Estates - Phase 2 - City's share \$13,576.80
  - (iv) Summerfield at the Orchards - City's share \$139,093.
- (b) That the City's share of the cost and financing of Sandrina Gardens - Phase 1 Subdivision be reduced from \$160,296. to \$55,941. and the balance of the financing in the amount of \$104,355. be transferred to the Reserve for City's Share of Services through Unsubdivided Lands.
- (c) That the City's share of the cost for compensation to owners (Benemar Construction Inc.) in the amount of \$160,000. for excess lands dedicated to the City for roadway purposes on Upper Wentworth Street which are beyond the maximum 26.0 metre width required by the City in the Gardens of Rymal - Phase 2 Subdivision be financed from the Reserve for Capital Projects.
35. That the City's Civic Awards Programme be amended to include the recognition of Hamilton residents who have been awarded with National or Provincial awards in cultural areas.
36. (a) That a civic gold ring be awarded to Dave King for winning the 1991 Enduro Super Veteran Class National Motorcycle Championship; and,



- (b) That a civic gold ring be awarded to Jamie Jones for winning the 1991 Senior Class National Motorcycle Championship; and,
- (c) That a diamond insert be awarded for a previously awarded civic ring to Helmut Clasen for winning the 1991 Veteran Class National Motorcycle Championship; and,
- (d) That a civic gold pin be awarded to Glen Morrison for winning the 1991 Enduro Senior Class Provincial Motorcycle Championship.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico. -13.

NAYS: Alderman Copps - 1.

**CARRIED.**

37. That Civic gold rings be awarded to the following members of the Hamilton Aquatic Senior Men's Water Polo Team for winning the 1992 Senior Men's Tier II National Championship on 1992 April 27 - 29:

Ian Barrow  
Mike Carnegie  
Pat Carr  
Mitch Dent  
Scott Elms  
Quinn Fairley  
Chris Lovett  
Kirt Cushnie - Coach

Mark MacKenzie  
Andrew Nevills  
Jason Pudwill  
John Waldow  
Craig Waldram  
Bill West  
Geoff White  
Craig Dougherty - Coach

38. That civic silver pins be awarded to the following members of the Hamilton Aquatic Juvenile Men's Water Polo Team for winning the 1992 Provincial Championships held on 1992 April 10 - 12:

Kevin Button  
Michael Davis  
Quinn Fairley

Stephan Johnson  
David Lang  
Chris Lovett



David Gauldie  
Joel Gunell  
David Holden  
Kurt Cushnie - Coach

Daniel Orlic  
Mathew Whelan  
Craig Woods  
John Waldow - Coach

39. (a) That a civic gold ring be awarded to June Amlinger of the Hamilton and District Ten Pin Bowling Association for winning a gold medal in the trios event at the 1991 World Bowling Championships held in Singapore; and,
- (b) That a civic gold ring be awarded to Al Tone of the Hamilton and District Ten Pin Bowling Association for winning a gold medal in the 1991 Asian All Star Bowling Tournament held in Malaysia.
40. (a) That civic silver pins be awarded to the following members of the Hamilton Transway Bantam "A" Basketball Team for winning the 1992 Provincial Championship held in London, Ontario:

Sheri Acciaroli (Coach)  
Megan Burney  
Kerri Byer  
Nadia Fortino  
Tara Henschel  
Willy Henschel (Coach)

Sarah Ireland  
Christina King  
Joanne Lusted  
Jeanette Rusinak  
Jaclyn Secore  
Maria Stangerlin

- (b) That civic silver pins and civic silver rings be awarded to the following members of the Hamilton Transway Bantam "AA" Basketball Team for winning the 1992 Provincial Championship held in London, Ontario, and the 1992 Brookwood International Championship held in Pierrefonds, Quebec:

Carrie Annable  
Tami Asquith  
Angela Papalia

- (c) That diamond inserts for previously awarded civic silver rings be awarded to the following members of the Hamilton Transway Bantam "AA" Basketball Team for



winning the 1992 Brookwood International Basketball Championship held in Pierrefonds, Quebec:

Helena DiGregorio  
Lindsay Durham  
Rachel Ellison  
Jayme Green  
Trena Humes

Sonja Horyn  
Suzanne Millar  
Katherine McColl  
Carla Romano  
Katie Walton

- (d) That civic silver pins be awarded to the following members of the Hamilton Transway Midget Basketball Team for winning the 1992 Provincial Championship held in London, Ontario:

Colleen Barker  
Michelle Chabot (Coach)  
Lisa Ciancone (Coach)  
Jade DiBattista  
Alicia Gunn

Kendra Hirst  
Wendy Inkster  
Leanne McMurray  
Tracey Rowthorn

- (e) That civic silver pins be awarded to the following members of the Hamilton Transway Midget Basketball Team for winning the 1992 Waterford International Championship held in Waterford, Michigan:

Colleen Barker  
Michelle Chabot (Coach)  
Lisa Ciancone (Coach)

Jade DiBattista  
Alicia Gunn  
Leanne McMurray

- (f) That diamond inserts for previously awarded civic silver rings be awarded to the following members of the Hamilton Transway Midget Basketball Team for winning the 1992 Waterford International Championship held in Waterford, Michigan:

Skye Angus  
Danielle Chabot  
Carrie Ciancone  
Kendra Hirst

Wendy Inkster  
Tracey Rowthorn  
Gina Tatti



41. That the following members of the Hamilton Synchronized Swim Team be awarded civic silver pins for winning the 1992 Ontario Trillium Provincial Championship in the "12 and under" team event:

Andrea Beattie  
Kim Beveridge  
Alicia Fawcett  
Sylvia Fawcett

Lyn Johnson  
Elly Kowalczyk  
Christine Korneluk  
Sarah Poole - Coach

42. That seven members of City Council be authorized to attend the 1992 Annual Conference of the Association of Municipalities of Ontario being held 1992 August 23-25 in Toronto, Ontario; and that the cost for this participation be charged to the Legislative Travel Account No. CH55201 10010.
43. That the application of Lakeport Brewing Corporation to the Liquor License Board of Ontario to permanently open its retail Cold Beer Store on Sundays at its plant at 201 Burlington Street East be endorsed.
44. That the application of the Wine Council of Ontario to the Liquor License Board of Ontario to permanently open numerous Winery Retail Stores on Sundays be endorsed.
45. That, in accordance with Ontario Hydro's policy, the City forward letters of application received from Mary Lou Dingle and Michael Dale Parayeski to Ontario Hydro to assist them in making their citizen member appointment to the Hamilton Hydro Electric Commission.
46. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of "Hamilton Against Poverty".
47. That approval be given to display the Cilio Dell Emigrante Racalmutese on the second floor foyer outside of the Mayor's Office until the end of 1992 August.
48. (a) That an Alderman be appointed as Chairperson of the City Council Committee of the Whole on a three (3) month basis; and
- (b) That the selection of the Alderman be recommended by the Nominating Committee; and



- (c) That Sub-section 3 of Section 6 of the Procedural By-law which provides for the Acting Mayor to act as the Chairperson of the Committee of the Whole be amended accordingly. All other duties and responsibilities of the Acting Mayor to remain unchanged.
49. That the Hamilton Arena/Trade Centre Foundation Inc. be dissolved.
50. That approval be given to the Hamilton Public Library Board to enter into a new lease for a five year term with De Marchi Construction Ltd. for premises to be used as a Branch Library located at 502 James Street North, Hamilton, subject to approval of the Ontario Municipal Board.
51. (a) That Mr. J. Pavelka, Director of Public Works, be appointed Chief Administrative Officer for the period 1992 July 1 through 1993 May 31 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws, and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1993 June 1.
- (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be appointed as Director of Public Works for the period 1992 July 1 through 1993 May 31 within the salary range "B" and that effective 1993 June 1 be re-appointed as Manager of Streets and Sanitation.
- (c) That the additional savings in the amount of approximately \$75,000. be retained within the Department of Public Works to fund Continuous Improvement Projects whose goal is reductions within the 1993 Budget and the services of an engineer if required.
52. That the City of Hamilton make an Offer to Settle Ontario Court (General Division) Action 2732/87, in the following terms:
- (a) That the retaining wall between the properties municipally known as 760 and 766 Upper Paradise be replaced, in a manner and to a standard acceptable to the City, provided that any sunken portion of the property of the Plaintiffs, the Micallef's, adjacent to the retaining wall, be filled, graded and resodded, and a fence be constructed at least five feet in height along the lot line between 760 and 766 Upper Paradise Road.



- (b) That the Plaintiffs, the John and Salvina Micallef, receive \$5,000. in satisfaction of all of their claims for damages, interest and legal costs.
- (c) That the Plaintiffs, John and Salvina Micallef, provide to the Corporation of the City of Hamilton a Full and Final Release with respect to any and all causes of action now or in the future arising out of the lot grading on Lot 1 of Plan 62M-460 in the existence of a retaining wall between the addresses known municipally as 760 and 766 Upper Paradise Road in the City of Hamilton.
- (d) That the City of Hamilton agree to replace the retaining wall when necessary in the future provided that:
  - (i) The owners of both 760 and 766 Upper Paradise provide the City of Hamilton with the easements necessary to enter onto their properties in future in order to carry out replacement or reconstruction of the wall, and
  - (ii) The City of Hamilton receive, or retain out of its share of the settlement funds, \$3,000. being the estimated present value of the replacement cost of the retaining wall.
- (e) That the Plaintiffs, John and Salvina Micallef, consent to the dismissal of Ontario Court (General Division) Action No. 2732/87 as against the City of Hamilton without costs.
- (f) That the City of Hamilton, DiCenzo Construction Limited and Steve Kozar Construction Limited contribute an equal amount, being \$6,666.67, to the resolution of the Action. (Cost of the new wall \$12,000., payment to the Plaintiffs \$5,000., present value of replacement of the wall in future \$3,000., total \$20,000.)
- (g) That provided all other requirements of the Subdivision Agreement have been complied with, and the retaining wall is completed, all actions, cross-claims and counter-claims as between the City of Hamilton, DiCenzo Construction Limited and Steve Kozar Construction Limited be dismissed without costs, and the City consent to the discharge of the Subdivision Agreement and the release of the securities held thereunder.



53. That leave be granted to introduce the following Bills:

- (a) Bill H-43      A By-law to amend By-law No. 90-074 respecting Development Charges.
- (b) Bill H-44      A By-law to amend By-law 79-323 respecting the Licensing of: Taxi Cabs and Livery Vehicles.
- (c) Bill H-45      A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
- (d) Bill H-46      A By-law to authorize the 1992 Reconstruction Program.
- (e) Bill H-47      A By-law to authorize a Hydro High Pressure Sodium Street Lighting Conversion Program.      **ADDED AND CARRIED.**

54. (a) That Alderman W. McCulloch be authorized to attend the Commemoration of the 50th Anniversary of the Dieppe Raid being held in Dieppe, France in 1992 August as the City's Representative; and
- (b) That the cost for this participation be charged to the Legislative Travel Account No. CH55201 10010."      **ADDED AND CARRIED.**

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder,  
Secretary  
1992 June 25**



**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Albert Agostinelli	Captain	Fire	Retired	30 years, 8 months	30/06/92
Mr. William Aitken	Firefighter I	Fire	Retired	35 years, 11 months	30/06/92
Mr. Charles Bailey	Foreman II	Public Works	Retired	35 years, 10 months	29/05/92
Mr. Douglas Barbour	Firefighter I	Fire	Retired	32 years, 6 months	30/06/92
Mr. Fred Barker	Garbage Worker	Public Works	Resigned	14 years, 10 months	15/05/92
Mr. John Burjaw	Firefighter I	Fire	Retired	32 years, 11 months	30/06/92
Mr. Lawrence Choppick	Probationary Fire Inspector	Fire	Retired	30 years, 3 months	30/06/92
Mr. Larry Cooper	Captain	Fire	Retired	32 years, 11 months	30/06/92
Mr. George Cort	Firefighter I	Fire	Retired	30 years, 10 months	30/06/92
Mr. Bryan Cripps	Publicity Assistant	H.E.C.F.I.	Terminated	11 years	21/05/91
Mr. Orville Fleer	Firefighter I	Fire	Retired	31 years, 11 months	30/06/92
Mr. Earl Grice	Firefighter I	Fire	Retired	30 years, 8 months	30/06/92
Mr. Derek Guiney	Lieutenant	Fire	Retired	30 years, 3 months	30/06/92

1992 June 30

Appendix "A" referred to in Section 19 of the Fourteenth Report of the Finance and Administration Committee for 1992.

Prepared 17/06/92



THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. William Harris	Firefighter I	Fire	Retired	34 years	30/06/92
Mr. R. James Hill	Firefighter I	Fire	Retired	32 years, 3 months	30/06/92
Mr. William Killalee	Firefighter I	Fire	Retired	31 years, 2 months	30/06/92
Mr. Craig Lofthouse	Breath Application Technician	Fire	Retired	34 years, 2 months	30/06/92
Mr. Michael Lynch	Firefighter I	Fire	Retired	30 years, 10 months	30/06/92
Mr. David Sharkey	Firefighter I	Fire	Retired	32 years, 6 months	30/06/92
Mr. Sam Tallo	Firefighter I	Fire	Retired	33 years, 8 months	30/06/92
Mr. John Tosic	Sports Groundskeeper II	Public Works	Resigned	6 years, 1 months	22/05/92
Mr. Clark Wood	Firefighter I	Fire	Retired	31 years, 10 months	30/06/92
Mr. Larry Wootton	Lieutenant	Fire	Retired	30 years, 9 months	30/06/92

1992 June 30



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Carol Alkana	Junior Payroll Clerk (10-F)	Treasury	Replacing Ms. D. Marsh - promoted	\$28,739.36 to \$31,238.48	08/06/92
Mr. Paul Baker	Traffic Servicemen/ Woman I (11-E)	Traffic	Replacing Mr. R. MacAulay - promoted	\$28,362.88 to \$31,493.28	04/05/92
Mr. Ronald Boutcher	Foreman/Woman III (13-C)	Public Works	Replacing Mr. J. Bovald - promoted	\$34,876.40 to \$40,053.00	25/05/92
Mr. John Bovald	Foreman/Woman II (12-C)	Public Works	Replacing Mr. A. Marshall - promoted	\$36,303.80 to \$43,354.48	25/05/92
Mr. Alexander Chowchun	Forester II (D-18)	Public Works	Replacing Mr. J. Virgulti - retired	\$34,717.28	03/06/92
Ms. Lynda Everata	Traffic Checker (8-A)	Traffic	Replacing Mr. M. Beauchamp - deceased	\$27,619.28 to \$30,363.84	01/06/92
Mr. Robert Gatto	Foreman/Woman III (13-C)	Public Works	Replacing Mr. B. Duckworth - lateral move	\$34,876.40 to \$40,053.00	15/06/92
Ms. Nancy Greenwood	Junior Accounts Payable Clerk (6)	Treasury	Replacing Ms. S. Lewis - promoted	\$24,413.48 to \$26,535.60	29/05/92

Prepared 17/06/92



**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Garry Flynn	Traffic Serviceman/ Woman (11-E)	Traffic	Replacing Mr. J. Cosentino - promoted	\$28,362.88 to \$31,493.28	04/05/92
Ms. John Green	Gardener 11 (D-14A)	Public Works	Replacing Mr. A. Chowchun - promoted	\$33,660.64	04/05/92
Ms. Susan Lewis	Receipts Clerk I (13)	Treasury	Replacing Ms. A. Pirkas - promoted	\$30,594.20 to \$34,765.64	28/04/92
Ms. Deborah Marsh	Receipts Clerk III (11)	Treasury	Replacing Ms. A. Apkarian - promoted	\$29,882.52 to \$32,414.20	26/05/92
Mr. Manuel Raposo	Asphalt Raker (D-11)	Public Works	Replacing Mr. M. Korotash - resigned	\$33,292.48	11/05/92
Ms. Patti Sargent	Console Operator (16-H)	Information Systems	Replacing Mr. A. Hardy - promoted	\$32,621.68 to \$38,767.56	11/05/92
Mr. Karl Rifmand	Gardener 11 (D-14A)	Public Works	Replacing Mr. A. Sloggett - terminated	\$33,980.96	16/04/92
Ms. Marcia Utter	Gardener 11 (D-14A)	Public Works	Replacing Mr. R. Gadawski - promoted	\$33,660.64	23/03/92

Prepared 17/06/92



1992 June 30

Appendix "B" referred  
to in Section 29(a) of the  
Fourteenth Report of the  
Finance and Administration  
Committee for 1992.

**TABLE 1**

**VEHICLE DEPRECIATION - AMENDMENTS**

1992 June 5

**DEPRECIATION CODES**

A	- 33.33%	@ 3 YEARS	G	- 12.50 %	@ 8 YEARS
B	- 25.00%	@ 4 YEARS	H	- 11.00 %	@ 9 YEARS
C	- 25.00%	@ 4 YEARS	I	- 10.00 %	@ 10 YEARS
D	- 20.00%	@ 5 YEARS	J	- 6.67 %	@ 15 YEARS
E	- 16.67%	@ 6 YEARS	K	- 8.33 %	@ 12 YEARS
F	- 14.30%	@ 7 YEARS			

	<u>CURRENT</u>	<u>PROPOSED</u>
AERIAL TRUCK FORESTRY	D - 5 YEARS	E - 6 YEARS
AUGER (inc Renegade Crane)	E - 6 YEARS	F - 7 YEARS
BACK HOE LOADER	E - 6 YEARS	G - 8 YEARS
BLOWER SNOW ATTACHMENT TYPE	G - 8 YEARS	I - 10 YEARS
BLOWER SNOW - LOADER MTD.	K - 12 YEARS	J - 15 YEARS
BLOWER SNOW - WALK BEHIND	G - 8 YEARS	I - 10 YEARS
BROOM - FRONT, HYDRAULIC	G - 8 YEARS	I - 10 YEARS
COMPRESSOR - AIR	F - 7 YEARS	I - 10 YEARS
MIXER - CEMENT	I - 10 YEARS	K - 12 YEARS
OVERSEEDER	I - 10 YEARS	J - 15 YEARS
PACKER - GARBAGE REAR LOADER	D - 5 YEARS	E - 6 YEARS
PACKER - GARBAGE SIDE LOADER	E - 6 YEARS	I - 10 YEARS
PAVEMENT MARKER	E - 6 YEARS	F - 7 YEARS
PLATFORM TRUCK - SIGN TRUCK	E - 6 YEARS	F - 7 YEARS
PRESSURE WASHER - STATIONARY	G - 8 YEARS	I - 10 YEARS
RODDING MACHINE (SEWER)	D - 5 YEARS	E - 6 YEARS
SERVICE BODY TRUCK	E - 6 YEARS	F - 7 YEARS
SKI- DOZER, BOMBARDIER	I - 10 YEARS	K - 12 YEARS
SPREADER (VICON)	E - 6 YEARS	I - 10 YEARS



1992 June 30

Appendix "C" referred  
to in Section 29(b) of the  
Fourteenth Report of the  
Finance and Administration  
Committee for 1992.

**TABLE 2****VEHICLE DEPRECIATION CODES**

1992 June

DEPRECIATION CODE	MOTORIZED EQUIPMENT CLASSIFICATIONS	DEPRECIATION RATES
A	BLOWER LEAF BACK PACK, MOWER - HAND PUSH, ROTOTILLER - SMALL LIGHT DUTY, WEEDEATER	33 1/3% FOR 3 YEARS
B	AUTOMOBILES	25% FOR 4 YEARS
C	BREAKER - PAVEMENT, MOWER - PTO DRIVEN, SAW - HAND HELD INC. CHAIN SAW, TAMPER - JOLLEY JUMPER	25% FOR 4 YEARS
D	AUTOMOBILE FLEET SERVICE, PRESSURE WASHER - PORTABLE	20% FOR 5 YEARS
E	AERIAL TRUCK FORESTRY, AERIAL TRUCK TRAFFIC, AERIAL TRUCK TRAFFIC (one man lift 9021) DUMP TRUCK - STAKE OR STEEL, MOWER - GANG PULL BEHIND, MOWER - RIDING, GREENS OR ROTARY, MOWER - RIDING, ALL HYD GANG, PACKER - GARBAGE REAR LOADER, PLANER - WALK BEHIND, RAKE - POWER OPERATED, RODDING MACHINE (SEWER), ROTOTILLER - HEAVY DUTY SAW - MOBILE INC. CONCRETE, STUMPER - WALK BEHIND, VACUUM UNIT - PUSH TYPE (Elph Vac)	16 2/3% FOR 6 YEARS
F	AMT (all terrain & golf cart), AUGER (inc Renegade Crane), HOT POT - TAR KETTLE, ICE EDGER, PAVEMENT MARKER, PICK UP TRUCK, PLANER - BOBCAT MTD., PLATFORM TRUCK - SIGN TRUCK, SERVICE BODY TRUCK, SWEEPER - SMALL AND FULL SIZE, VAN	14.3% FOR 7 YEARS
G	BACK HOE LOADER, CATCH BASIN CLEANER - VAC ALL, CHIPPER, DUMP TRUCK - FULL SIZE, FLUSHER, GENERATOR, SANDER - TRUCK, TWO WAY, STUMPER - TREE (full size), TRACTOR - COMPACT Under 50 hp, TRACTOR - FULL SIZE TRACTOR - FRONT END LOADER, ZAMBONIS	12 1/2% FOR 8 YEARS
H	NONE	11% FOR 9 YEARS
I	AERATOR, BLOWER LEAF PTO & WALK BEHIND, BLOWER SNOW ATTACHMENT TYPE, BLOWER SNOW - WALK BEHIND, BOBCAT - LIFT TRUCK, BROOM - FRONT HYDRAULIC, COMPRESSOR - AIR, GROOMER - BALL DIAMOND, HOIST TRUCK, LUGGER, OIL DISTRIBUTING TRUCK, PACKER - GARBAGE SIDE LOADER, PAINT TRUCK TRAFFIC, PRESSURE WASHER - STATIONARY, ROLLER - ASPHALT, WALK BEHIND & LAWN, SANDER - SIDEWALK, SNOW MOBILE (SKI DOO), SPRAYER - TREE, WEED, TOW BEHIND, SPREADER (VICON), SPREADER - STONE CHIP, TOP DRESSER, TRACTOR - LG ARTICULATING LOADER, TRAILERS - ALL, SIGN - ARROW BOARD, WATER PUMP - PORTABLE OR TRUCK MOUNTED	10% FOR 10 YEARS
J	ASPHALT SPREADER, BLOWER SNOW - LOADER MTD., BLOWER SNOW - LG. MOBILE, COMPACTOR, LOG SPLITTER, OVERSEEDER, ROLLER - ASPHALT/RIDING	6 2/3% FOR 15 YEARS
K	MIXER - CEMENT, SKIDOZER - BOMBARDIER, TRENCHER	8.33% FOR 12 YEARS







1992 July 9

**SPECIAL MEETING OF HAMILTON CITY COUNCIL**

Thursday, 1992 July 9

6:00 o'clock p.m.

Council Chamber

The Council met.

**PRESENT:** Robert M. Morrow, Mayor  
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson,  
Agostino, Eisenberger, Charters, Jackson, Ross, D'Amico.

**ABSENT:** Alderman B. Morelli  
Alderman H. Merling  
Alderman T. Anderson

His Worship Mayor Robert M. Morrow called the meeting to order.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that Council move into Committee of the Whole to consider resolution(s) respecting the Hamilton Tiger-Cat Football Club with Mayor Morrow in the chair.

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Ross and seconded by Alderman Agro

- (a) That the Ivor Wynne Stadium Complex be leased to the proposed Non-Profit Corporation which is being created to operate the Hamilton Tiger-Cat Football Club, under the same terms and conditions as the Licence Agreement granted by City Council in adopting Item 22 of the Eleventh Report of the Parks and Recreation Committee on May 26, 1992 subject to the following:
  - (i) Annual rent will be \$1.00 per year including Exhibition and Play-off Games and the Training Camp;
  - (ii) The Team will be granted the Concession Rights for \$1.00;
  - (iii) That this Licence Agreement become void if the Team fails to acquire, or terminates it's non-profit status.
- (b) That the Corporation of the City of Hamilton undertake to purchase tickets and/or advertising from the Non-Profit Corporation for an amount of \$100,000. annually for the years 1992, 1993 and 1994.
- (c) That an agreement satisfactory to the Chief Administrative Officer and City Solicitor be entered into between the Non-Profit Corporation and the Corporation of the City of Hamilton respecting the football club's use of the Ivor Wynne Stadium Complex.

Recorded vote on Section (a)

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps, -2.

**CARRIED.**



Recorded vote on Section (b)

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Ross, D'Amico. -5.

NAYS: Aldermen Cooke, Kiss, Drury, Copps, Wilson, Agostino, Eisenberger,  
Charters, Jackson. -9. **LOST.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that the Report of the Committee of the Whole containing resolution(s) respecting the Hamilton Tiger-Cat Football Club, be now adopted. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

Bill H-48: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill H-48 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**



\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill H-48 be now considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

Consideration of Bill H-48 (second reading)

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Jackson that the Report of the Committee of the Whole on Bill H-48 be now adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



1992 July 9

It was moved by Alderman Cooke and seconded by Alderman Jackson that Bill H-48 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -14.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

The meeting adjourned at 8:30 o'clock p.m.

\* \* \* \* \*

J. J. Schatz  
City Clerk







Hamilton City Council  
1992 July 28  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino,  
Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico.

Absent: Alderman Cooke - Vacation  
Alderman Merling - Vacation

Pastor Vern O'Brien, Peoples Church Hamilton led Council in prayer.

\* \* \* \* \*

Mayor R. M. Morrow presented a Certificate of Recognition to Murray Aikman who served as a citizen member on the Hamilton Historical Board.

Mayor R. M. Morrow offered congratulations and presented civic silver pins to the Blessed Sacrament Minor Bantam Basketball Team for winning the 1991 and 1992 Provincial Championships.

\* \* \* \* \*

The minutes of the regular meeting held 1992 June 30 and the special meeting of 1992 July 9 were adopted as circulated.

\* \* \* \* \*



Correspondence:

1. Letter dated 1992 July 2 from the Board of Education for the City of Hamilton regarding concerns of perceived problems relating to public safety.

**Referred to the Transport and Environment  
Committee.**

2. Resolution dated 1992 July 13 from the Corporation of the City of Burlington respecting LaSalle Park.

**Referred to the Finance and Administration Committee.**

3. Memorandum dated 1992 July 21 from J. J. Schatz, City Clerk to Members of City Council regarding the Clerk's Statement on Candidates Disclosure.

**Received.**

4. Memorandum dated 1992 July 28 from J. J. Schatz, City Clerk to Members of City Council regarding amendments to the original Clerk's Statement on Candidates Disclosure.

**Received.**

5. Application dated 1992 July 8 from Mr. and Mrs. Edmondo Ciardullo, Hamilton, Ontario for a modification to the established "AA" (Agricultural) District regulations for Block "1" and to the established "C" (Urban Protected Residential, etc.) District regulations for Block "2", for property located at Nos. 1468 and 1478 Upper James Street, Hamilton, Ontario.

**Received.**

6. Letter dated 1992 July 6 from J. J. Schatz, City Clerk respecting an objection to By-law 92-112 regarding property at 165 Burton Street, Hamilton, Ontario.

**Received.**



1992 July 28

7. Letter dated 1992 July 27 from Douglas R. Pollington, Past President of the International Association of Fire Chiefs respecting support for amendments to the Criminal Code and the Parole Act.

**Referred to the Finance and Administration Committee.**

8. Resolution from the Township of Tiny dated 1992 June 10 respecting restructuring of the Townships boundaries.

**Referred to the Finance and Administration Committee.**

9. Letter dated 1992 July 24 from Dennis Clark, Hamilton and District Labour Council C.L.C. respecting the elimination of a position at the Dundurn Castle Aviary.

**Received.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



**TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT**

**Section 22 Re: School Patrols**

It was moved by Alderman Kiss and seconded by Alderman Copps that Section 22 of the Eighth Report of the Transport and Environment Committee be referred back. **LOST.**

Recorded vote on Section 22.

**YEAS:** Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -12.

**NAYS:** Aldermen Kiss, Copps, Agostino. -3. **CARRIED.**

\* \* \* \* \*

**Section 34(a) Re: Construction of a Sidewalk - Limeridge Road**

It was moved by Alderman Wilson and seconded by Alderman Agostino that Section 34 (a) of the Eighth Report of the Transport and Environment Committee be amended as follows:

34. (a) That the figure "\$23,440." in the eleventh line be deleted and replaced with the figure "\$25,588.80" and the figure "\$26,560." in the last line be deleted and replaced with the figure "\$24,411.20". **CARRIED.**

\* \* \* \* \*



**PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT**

**Section 1 Re: Selling of beer - Stelco Slo-Pitch Tournament - Globe Park**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson -1.

**CARRIED.**

\* \* \* \* \*

**Section 7 Re: Artifact**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Kiss. -1.

**CARRIED.**

\* \* \* \* \*

**Section 8 Re: Mountain Skating Centre - building addition**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Copps -1.

**CARRIED.**

\* \* \* \* \*



**Section 10    Re:    Membership in Ontario Minor Hockey Association - Recreational House Leagues of the Hamilton Minor Hockey Council**

It was moved by Alderman Jackson and seconded by Alderman Copps that Section 10 of the Fourteenth Report of the Parks and Recreation Committee be amended as follows:

1.    That subsection (b) be amended by deleting the words "Department of Culture and Recreation" in the first line and substituting in lieu thereof the words "Parks and Recreation Committee".
2.    That sub-section (c) be amended by adding the words "within two weeks" after the word "that" in the first line.
3.    That Sub-section (d) be deleted. **CARRIED.**

\* \* \* \* \*

**Section 11    Re:    Hosting of the 1994 International Children's Games in Hamilton**

Recorded vote.

**YEAS:**        Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -13.

**NAYS:**        Alderman Copps -1. **CARRIED.**

\* \* \* \* \*

**Section 13    Re:    Feasibility and Needs Study for the East Hamilton Kiwanis Boys and Girls Club**

Alderman Copps declared personal interest in, took no part in the debate and refrained from voting on the matter as she is a member of the Club.



**PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT**

**Section 8      Re:    Zoning Application 91-83, Brusan Development Corporation - Upper Paradise Road and Rymal Road West.**

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father has a financial interest in the subject property.

\* \* \* \* \*

**Section 11 B Subsections (b) (d) and (h) Re: Zoning Application 90-40, Patran Holdings Limited, 45 Rifle Range Road**

Recorded vote.

**YEAS:**            Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -13.

**NAYS:**           Aldermen Kiss, Copps. -2.

**CARRIED.**

\* \* \* \* \*

**Section 12    Re:    Introduction of Bills - Bill C-84.**

It was moved by Alderman McCulloch and seconded by Alderman Drury that Section 12 of the Thirteenth Report of the Planning and Development Committee be amended by adding subsection (1) as follows:

(1)    **Bill C-84:**    A By-law to amend Zoning By-law No. 6593 respecting lands located within the Block Bounded by Cannon Street East, Elgin Street, Barton Street East and Ferguson Avenue North (Carter Square)

**CARRIED.**



**Section 12(i) Re: Bill C-81: Respecting 45 Rifle Range Road**

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

**NAYS:** Alderman Kiss. -1.

**CARRIED.**

\* \* \* \* \*

**Section 13 Re: 1632 Upper Ottawa Street**

It was moved by Alderman Drury and seconded by Alderman McCulloch that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding the repurchase of lands at 1632 Upper Ottawa Street.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Drury and seconded by Alderman McCulloch that the Thirteenth Report of the Planning and Development Committee be amended by adding Section 13 as follows:

13. That the Corporation of the City of Hamilton repurchase the lands known as part of Lot 10 and part of Block 17 on Plan 62M-352, (1632 Upper Ottawa Street ) being more particularly described as the north half of Part 1 and all of Part 5 on Plan 62R-8770 from Mercanti Management Inc., Peter Mercanti, Morris Mercanti, Moore and Davis Enterprises Inc. and Arthur Glenn Bryant, at a price of \$96,008.00 and said amount be charged to Account Number CH 5X307 00102 (Reserve - Property Purchases).

**CARRIED.**



**PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT**

**Section 1(f) Re: Walkway/bicycle path - Hamilton Beach Neighbourhood Plan**

It was moved by Alderman Anderson and seconded by Alderman Charters that Sub-Section (f) of Section 1 of the Fourteenth Report of the Planning and Development Committee be amended by adding the following thereto "and further that when the plan is developed for the walkway that provision be made to build a future bicycle path.

Recorded vote,

**YEAS:** Aldermen Charters, Anderson, D'Amico, Ross. -4.

**NAYS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson. -11. **LOST.**

\* \* \* \* \*

**Section 1 Re: Hamilton Beach Neighbourhood Plan**

Recorded vote on main motion.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

**NAYS:** -0. **CARRIED.**

\* \* \* \* \*



## CITY OF HAMILTON LICENSING COMMITTEE - FIFTH REPORT

**Section 2      Re:    44 Proctor Boulevard and 98 Sherman Avenue South**

Alderman Drury declared personal interest in, took no part in the debate and refrained from voting. Alderman Drury lives within 200 feet of the subject properties.

## FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

**Section 4      Re: Karl Seifried - Civic Gold Ring for winning the Canadian National Handball Championships**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

**NAYS:** Alderman Copps. -1. **CARRIED.**

✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻

## Section 5 Re: Hamilton Hoppers Skipping Team - Civic Silver Pins for 1992 Ontario Provincial Championships

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

**NAYS:** Alderman Copps. -1. **CARRIED.**

\*\*\*\*\*



**Section 7 Re: Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario and The International Brotherhood of Electrical Workers and the I.B.E.W. Construction Council of Ontario - Schedule "B"**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Schedule "B" referred to in Section 7 of the Fifteenth Report of the Finance and Administration Committee be deleted and replaced with a new schedule. **CARRIED.**

\* \* \* \* \*

**Section 9 Re: Union Gas Limited - Option to Purchase - Kinrade Avenue**

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson's wife is an employee of Union Gas.

\* \* \* \* \*

**Section 14 (b) Re: Financing - Independent Concrete Sidewalk - Upper Wellington**

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 14 (b) of the Fifteenth Report of the Finance and Administration Committee be amended by deleting the figure "\$23,440." in the fourth line and replacing it with the figure "\$25,588.80" and by deleting the figure "\$26,560." in the fifth line and replacing it with the figure "\$24,411.20". **CARRIED.**

\* \* \* \* \*

**Section 20 Re: Playing of the National Anthem - Resolution from the City of Stoney Creek**

It was moved by Mayor Morrow and seconded by Alderman Jackson that section 20 of the Fifteenth Report of the Finance and Administration Committee be amended by deleting the word "received" in the second line and substituting in lieu thereof the word "adopted". **CARRIED.**



**Section 21 Re: Bell Canada - Regional Long Distance Telephone Charges - Resolution from the Town of Ancaster**

**Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is a shareholder in Bell Canada.**

✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿

**Section 22    Re:    Bell Canada's Application to the Canadian Radio-Television and Telecommunications Commission for increases in local channel rates - Resolution from the Regional Municipality of Niagara.**

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is a shareholder in Bell Canada.

✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻ ✻

**Section 23     Re:     Town of Capreol - Resolution on Criminal Justice System in Canada**

It was moved by Alderman Jackson and seconded by Alderman Kiss that section 23 of the Fifteenth Report of the Finance and Administration Committee be amended by changing the words "received" in the preamble to "adopted and supported".

**Recorded vote on amendment.**

**YEAS:** Aldermen Kiss, Agostino, Jackson. -3.

**NAYS:** Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, D'Amico. -10. **LOST.**

• • • • •

**Section 23    Re:    Town of Capreol - Resolution on Criminal Justice System in Canada**

**Recorded vote on main motion.**

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, D'Amico. -12.

**NAYS:** Alderman Jackson -1. **CARRIED.**

✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿ ✿



FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman T. Anderson be appointed as Acting Mayor for the month of August, 1992.**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee and the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills be now read a first time:

A-55, A-56, A-57, A-58, A-59, A-60, A-61.

B-3.

C-73, C-74, C-75, C-76, C-77, C-78, C-79, C-80, C-81, C-82, C-83, C-84.

H-49, H-50.



Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the following Bills, with Alderman Agro in the chair. (second reading).

A-55, A-56, A-57, A-58, A-59, A-60, A-61.

B-3.

C-73, C-74, C-75, C-76, C-77, C-78, C-79, C-80, C-81, C-82, C-83, C-84.

H-49, H-50.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. - 15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



**Consideration of the Bills (second reading).**

**Bill C-81: A By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 45 Rifle Range Road.**

**Recorded vote.**

**YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.**

**NAYS: Alderman Kiss. -1.**

**CARRIED.**

\* \* \* \* \*

**It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the following Bills, be adopted. -**

**A-55, A-56, A-57, A-58, A-59, A-60, A-61.**

**B-3.**

**C-73, C-74, C-75, C-76, C-77, C-78, C-79, C-80, C-81, C-82, C-83, C-84.**

**H-49, H-50.**

**Recorded vote.**

**YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.**

**NAYS: -0.**

**CARRIED.**

\* \* \* \* \*

**It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:**

**A-55, A-56, A-57, A-58, A-59, A-60, A-61.**

**B-3.**

**C-73, C-74, C-75, C-76, C-77, C-78, C-79, C-80, C-81, C-82, C-83, C-84.**

**H-49, H-50.**



1992 July 28

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: -0.

CARRIED.

\* \* \* \* \*

City Council then adjourned at 9:35 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

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Mayor R. M. Morrow

J. J. Schatz  
City Clerk

1992 July 28



## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1992 and respectfully recommends:

1.
  - (a) That four-way stop control be implemented at the intersection of East 33rd Street and Queensdale Avenue; and
  - (b) That three-way stop control be implemented at the intersection of East 36th Street and Queensdale Avenue; and
  - (c) That four-way stop control be implemented at the intersection of East 43rd Street and Queensdale Avenue; and
  - (d) That three-way stop control be implemented at the intersection of Nancy Street and Queensdale Avenue; and
  - (e) That the City Traffic By-law No. 89-72 be amended accordingly.
2.
  - (a) That the existing three-way stop control at the intersection of Broughton Avenue and Grayrocks Avenue be removed; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
3.
  - (a) That southbound traffic on Fraser Avenue be required to stop for eastbound and westbound traffic on Edinburg Avenue; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.



4. (a) That westbound traffic on Caswell Drive be required to stop for northbound and southbound traffic on Amalfi Street; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
5. (a) That westbound traffic on Beaverton Drive be required to stop for northbound and southbound traffic on Acadia Drive; and  
(b) That northbound traffic on Butler Drive be required to stop for eastbound and westbound traffic on Acadia Drive; and  
(c) That westbound traffic on Cartier Crescent be required to stop for northbound and southbound traffic on Acadia Drive; and  
(d) That the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That northbound traffic on Philomena Drive be required to stop for eastbound and westbound traffic on Claudette Gate; and  
(b) That northbound traffic on Spadara Drive be required to stop for eastbound and westbound traffic on Benvenuto Crescent; and  
(c) That eastbound traffic on Benvenuto Crescent (south leg) be required to stop for northbound and southbound traffic on Claudette Gate; and  
(d) That westbound traffic on Claudette Gate be required to stop for northbound and southbound traffic on Spadara Drive; and  
(e) That the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Queensdale Avenue East commencing at a point 33 feet west of the west curb line of Nancy Street and extending to a point 120 feet westerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.



8.
  - (a) That a "Permit Parking" regulation be implemented on the north side of Peter Street, commencing at a point 47 feet west of Ray Street North and extending to a point 21 feet westerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Frank Znamecz, 93 Peter Street; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
9.
  - (a) That a "Permit Parking" regulation be implemented on the east side of Rosslyn Avenue North commencing at a point 216 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom; and
  - (b) That a "Permit Parking" regulation be implemented on the west side of Rosslyn Avenue North commencing at a point 241 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom; and
  - (c) That the Director of Traffic Services be authorized to issue two parking permits to Mrs. O'Callaghan, No. 180 Rosslyn Avenue North; and
  - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
10.
  - (a) That the existing "Permit Parking" regulation on the north side of Clinton Avenue commencing at a point 310 feet west of Lottridge Street and extending to a point 23 feet westerly therefrom be removed; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
11.
  - (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Kinrade Avenue commencing at a point 517 feet south of Barton Street East and extending to a point 30 feet southerly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.



12.
  - (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Jackson Street East commencing at a point 53 feet east of Spring Street and extending to a point 97 feet easterly therefrom, be shortened such that the regulation commences at a point 53 feet east of Spring Street and extends to a point 65 feet easterly therefrom; and
  - (b) That the existing "No Parking" regulation on the north side of Jackson Street East which commences at Wellington Street South and extends to a point 150 feet westerly, be extended, such that the regulation commences 118 feet east of Spring Street and extends to Wellington Street South; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
13.
  - (a) That parking be prohibited on the west side of Rushdale Drive commencing at a point 102 feet south of the extended south curb line of Ruby Street and extending to a point 68 feet southerly therefrom; and
  - (b) That parking be prohibited on the north side of Rushdale Drive commencing at the west curb line of Rushdale Drive and extending to a point 137 feet westerly therefrom; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
14.
  - (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Ferguson Avenue South commencing at a point 30 feet south of Hunter Street East and extending to a point 115 feet southerly therefrom and on the west side of the street commencing at a point 31 feet south of Hunter Street East and extending to a point 91 feet southerly therefrom; and
  - (b) That a "No Parking" regulation be implemented on the west side of Ferguson Avenue South commencing at a point 207 feet south of Hunter Street East and extending to a point 115 feet southerly therefrom; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.



15. (a) That the existing "No Parking" regulation on the east side of Mountwood Avenue which commences at Rockwood Place and extends to a point 146 feet northerly therefrom, be replaced with a "No Stopping" regulation; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
16. (a) That a "Permit Parking" regulation be implemented on the east side of Ferguson Avenue South between Charlton Avenue East and Foster Street; and  
(b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first seven eligible applicants residing in the block to a maximum of seven permits; and  
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That the existing "Alternate Side Parking" regulation on Fairfield Avenue between Barton Street East and Britannia Avenue be replaced with a "No Parking" regulation on the west side and unrestricted free parking on the east side; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Bay Street South between Aberdeen Avenue and Inglewood Drive; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
19. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first twelve eligible applicants residing in the apartment building at No. 4 Paisley Avenue South.
20. (a) That the existing "Permit Parking" regulation on the west side of Elgin Street commencing at a point 93 feet south of Robert Street and extending to a point 20 feet southerly therefrom be removed; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.



21. (a) That eastbound traffic on Borodino Court be required to stop for northbound and southbound traffic on Essling Avenue; and
- (b) That parking be prohibited on the south side of Essling Avenue (north leg) commencing at the west curb line of Essling Avenue and extending to a point 92 feet westerly therefrom; and
- (c) That parking be prohibited on the west side of Essling Avenue commencing at the south curb line of Essling Avenue (north leg) and extending to a point 69 feet southerly therefrom; and
- (d) That parking be prohibited on the east side of Essling Avenue commencing at the north curb line of Essling Avenue (south leg) and extending to a point 88 feet northerly therefrom; and
- (e) That the City Traffic By-law No. 89-72 be amended accordingly.
22. That the Chief Administrative Officer and the Director of Traffic Services be authorized to make a presentation to the Hamilton Board of Education and to the Hamilton-Wentworth Roman Catholic Separate School Board on the subject of school patrols.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -12.

NAYS: Aldermen Kiss, Copps, Agostino. -3.

**CARRIED.**

23. (a) That the Commissioner of Transportation/Environmental Services be authorized and directed to issue a purchase order to Jay Chris Indus-Rail Supply Incorporation for \$18,000. to purchase the Hi-Rail rubber crossing materials for Cannon Street at Glendale Avenue, C.P. Rail crossing.
- (b) That the expenditures be financed from City Account No. 57409 52010 (Specific Maintenance).



24. That the application of T. Farrar, agent for the Cycle Hamilton (244 Jackson Street West, Hamilton) to temporarily close Hess Street from King to Main, George Street from Hess to Caroline, George Street from Queen to Ray and Ray Street from George to King on Monday, 1992 September 7 from 1:00 p.m. to 5:00 p.m. in order to hold the annual Hess Village Grand Prix Bicycle Race, be approved, subject to the following conditions:
- (a) That approval from the Regional Police Services be received prior to consideration by City Council of an application for a complete closure;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



25. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of J. Clavel, agent for the Treasury Board of Canada (150 Main Street West, Hamilton) to temporarily close George Street between Caroline Street and Hess Street on Tuesday, 1992 June 30 from 10:00 a.m. to 2:00 p.m. for a Canada Day celebration subject to the following conditions:
- (a) That approval from the Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Commissioner of Transportation/Environmental Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Region and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants in the closure area be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



26. That the application of A. Sno, agent for the Westdale Business Improvement Association (944 King Street West, Hamilton) to temporarily close King Street West between Paisley Avenue and Marion Avenue from 8:00 a.m., Saturday, 1992 September 19 to 11:59 p.m., be approved subject to the following conditions:
- (a) That approval from the Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.



27. That the application of the Region of Hamilton-Wentworth (1 James Street South) to temporarily close the following City streets on Saturday, 1992 July 25 from 12:00 noon to 10:00 p.m. and Sunday, 1992 July 26 from 12:00 noon to 8:00 p.m.

Bay Street North from Burlington Street to Guise Street  
MacNab Street North from Burlington Street to Guise Street  
James Street North from Burlington Street to Guise Street  
Hughson Street North from Burlington Street to Guise Street  
John Street North from Burlington Street to Guise Street  
Catherine Street North from Burlington Street to Guise Street  
Mary Street North from Burlington Street to Guise Street  
Ferguson Avenue North from Burlington Street to Guise Street  
Guise Street from Bay Street to Ferguson Avenue;

in order to hold their annual Greater Hamilton Aquafest be approved subject to the following conditions:

- (a) That approval from the Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads to the satisfaction of the City and at the expense of the event organizer;



- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
28. That the application of D. Reid agent for the Hamilton Municipal Employees Credit Union (50 Jackson Street West) to hold a fund raising hot dog sale on the sidewalk in front of 50 Jackson Street West on Thursday, 1992 August 13 from 11:00 a.m. to 2:00 p.m., be approved, subject to the following conditions:
- (a) That approval from the Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That the applicant ensure that clean-up operations be carried out immediately following the event to the satisfaction of the Region and at the expense of the event organizer.
29. That the application to retain an inadvertent encroachment (a concrete porch and steps measuring 3.0' x 15.40') at 337 Strathearne Avenue North be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
  - (c) That the first year fee of \$112. and subsequent annual fee of \$20. be set for this encroachment.



30. (a) That the following City land be incorporated into the street as indicated below in order to provide access from the adjacent lands:
- Acadia Drive Parts 30, 3 and 6 - Plan 62R-11096
  - Acadia Drive Part 13 - Plan 62R-11922 and Part 15 - Plan 62R-11096.
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
31. (a) That the City of Hamilton enter into a new lease agreement with Playfair Developments Ltd. in accordance with the following terms:

Property:	25 Main Street West, Suite 2215, Hamilton
Area:	1,200 square feet
Term:	One (1) year, eleven (11 months) commencing 1992 August 1, terminating 1994 June 30
Rental Rate:	\$18. per square foot (Gross) \$21,600. annually, \$1,800. per month
Escalation:	The City is to pay realty tax and operating cost escalation over the 1991 base year on a proportionate share.
Option to Renew:	The City has the Option to Renew this lease for a further one (1) year. All terms and conditions are to remain the same, save and except, the rental rate which shall be negotiated six (6) months prior to the expiry of the initial term.



**Improvement**

**Allowance:**

The Lessor will at its cost clean the carpet, bring the space up to professional standards and remove and relocate demising walls prior to occupancy.

- (b) That the lease agreement dated 1990 March 9 between the Corporation of the City of Hamilton and Playfair Developments Ltd for Suite 1500, 25 Main Street West be terminated.
  - (c) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.
32. (a) That an Offer to Purchase, duly executed by Kwong-Yuen Ho and Daniel Cheuk-Kin Yung 1992 June 16 and scheduled for closing on or before 1992 September 25 for a portion of City-owned property composed of part of Lot 31, Registered Plan 823, formerly in the Township of Barton, now in the City of Hamilton, having a frontage of 10.86 metres (35.65 feet) more or less, by a depth of 5.166 metres (16.95 feet) more or less, being irregular in shape and comprising a total area of 37.596 square metres (404.7 square feet) more or less, more particularly described as Part 4 on Registered Plan 62R-10628, being located immediately in front of No. 112 Chesley Street, be approved and completed and the funds derived from the sale of \$1. be credited to Account No. CH4X999 00102 (Reserve for Property Purchases).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
33. (a) That an Offer to Purchase, duly executed by Fiorisa and Antonio Cirone on 1992 July 6 and scheduled for closing on or before 1992 October 20 for a portion of City-owned property composed of part of Lot 31, Registered Plan 823, formerly in the Township of Barton, now in the City of Hamilton, having a frontage of 12.033 metres (39.48 feet) more or less, by a depth of 5.166 metres (16.95 feet) more or less, being irregular in shape and comprising a total area of 44.675 square metres (480.9 square feet) more or less, more particularly described as Part 3 on Registered Plan 62R-10628 and being located directed in front of No. 116 Chesley Street, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X999 00102 (Reserve for Property Purchases).



- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
34. (a) That the construction of a concrete sidewalk on the north side of Limeridge Road from approximately 400 m east of Upper Wellington Street to approximately 127 m easterly and on the south side of Limeridge Road from Upper Wellington Street to approximately 263 m easterly and from approximately 376 m east of Upper Wellington Street to approximately 69 m easterly proceed as Local Improvements pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of twenty-one thousand dollars (\$21,000.) and fifty thousand dollars (\$50,000.) respectively as provided in the 1992 portion of the 1992 to 2001 Capital Budget with a City's share of ten thousand, eight hundred and sixty dollars and eighty cents (\$10,860.80) and twenty-five thousand, five hundred and eighty-eight dollars and eighty cents (\$25,588.80) respectively and an Owner's share of ten thousand, one hundred and thirty-nine and twenty cents (\$10,139.20) and twenty-four thousand, four hundred and eleven dollars and twenty cents (\$24,411.20) respectively; and
- AMENDED AND CARRIED.**
- (b) That the Finance and Administration Committee be requested to recommend a source of funds for these Capital Projects; and
- (c) That the Senior Director of Roads be authorized to construct these works once all of the necessary approvals have been received.
35. (a) That the portion of Section 3 of the Fourth Report of the Transport and Environment Committee for 1992 adopted by City Council on 1992 March 10 which refers to approval of engineering schedules for "Claudette Gardens - Phase 1", Hamilton be deleted.
- (b) That the portion of Section 6 of the Fifth Report of the Transport and Environment Committee for 1991 adopted by City Council on 1991 March 12, which refers to the approval of the engineering schedules for "Paradise Gate Estates", Hamilton be deleted.



- (c) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:

1. "CLAUDETTE GARDENS - PHASE 1", Hamilton

City's Share	-	nil
Owner's Share	-	\$324,865.22

2. "PARADISE GATE ESTATES - PHASE 1", Hamilton

City's Share	-	nil
Owner's Share	-	\$290,422.

3. "THE GARDENS OF RYMAL - PHASE 3", Hamilton

City's Share	-	\$ 5,479.45
Owner's Share	-	\$166,224.10

4. "THE GARDENS OF RYMAL - PHASE 4", Hamilton

City's Share	-	\$ 8,317.73
Owner's Share	-	\$167,563.09

5. "RYMAL SQUARE ESTATES - PHASE 3", Hamilton

City Share	-	\$62,625.60
Owner's Share	-	\$55,568.

- (d) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the Owners of "Claudette Gardens - Phase 1", Hamilton, "Paradise Gate Estates - Phase 1", Hamilton, "The Gardens of Rymal - Phase 3", Hamilton, "The Gardens of Rymal - Phase 4", Hamilton and "Rymal Square Estates - Phase 3", Hamilton.
- (e) That approval of the above-noted clauses be subject to the condition that no work has commenced on the installation of services except as provided for in sub-section (f) below.
- (f) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements they should be allowed to do so at their own risk provided they enter into standard agreements with the City of Hamilton for pre-servicing.



- (g) That the City's share for the services in "The Gardens of Rymal - Phase 3" (\$5,479.45), "The Gardens of Rymal - Phase 4" (\$8,317.73) and "Rymal Square Estates - Phase 3" (\$62,625.60) be approved and that the Finance and Administration Committee recommend the source of funding for these projects.
  - (h) That the Final Plan for "The Gardens of Rymal - Phase 3" not be released for registration until the Final Plan for "The Gardens of Rymal - Phase 2" has been registered.
  - (i) That the Final Plan for "The Gardens of Rymal - Phase 4" not be released for registration until the Final Plan for "The Gardens of Rymal, Phase 3" has been registered.
  - (j) That the Final Plan for "Rymal Square Estates - Phase 3" not be released for registration until the Final Plan for "Rymal Square Estates - Phase 2" has been registered.
36. That a four-way stop control be implemented at the intersection of Maple Avenue and Grosvenor Avenue.
37. (a) That the Chairman or his designate be authorized to attend the Water Environment Federation 65th Annual Conference and Exposition, New Orleans, Louisiana, 1992 September 20 to September 24.
- (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
38. That leave be granted to introduce the following Bills:
- (a) **A-55** By-law to stop-up, close and sell those portions of Public Walkway between Lots 150 and 151 Plan 62M-89 (North of Larch Street)
  - (b) **A-56** By-law to incorporate Parts 30, 3 and 6, Plan 62R-11096 (respectively) and Part 13, Plan 62R-11922 and Part 15, Plan 62R-11096 into Acadia Drive



1992 July 28

- (c) **A-57** By-law to authorize: 1. The construction of local improvements without petition under Section 12 of the Local Improvement Act of an independent concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue. 2. The supervision of the construction by the Director of Public Works.
- (d) **A-58** By-law to authorize: 1. The construction of local improvements without petition under Section 12 of the Local Improvement Act of an independent concrete sidewalk at the east end of South Bend Road East (north side) at the north end of Holt Avenue. 2. The supervision of the construction by the Director of Public Works.
- (e) **A-59** By-law to authorize: 1. The construction of local improvements without petition under Section 12 of the Local Improvement Act of an independent concrete curb on the east side of Upper Kenilworth Avenue between Landron Avenue and Limeridge Road. 2. The supervision of the construction by the Senior Director of Roads.
- (f) **A-60** By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (g) **A-61** By-law to Amend By-law No. 89-72 to Regulate Traffic.

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 July 21**



## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1992 and respectfully recommends:

1. That approval be given to the coaches, convenors and parents representing a "AA" Rep Hockey Team to operate a beer garden, in conjunction with the Stelco Slo-Pitch Tournament to be held at Globe Park on Saturday, 1992 August 29 and Sunday, 1992 August 30, subject to the following terms and conditions:
  - (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a special occasion permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, Ross, D'Amico. -14.

**NAYS:** Alderman Jackson -1.

**CARRIED.**



2. That the Director of Culture and Recreation be authorized to respond in the positive to the request to participate in Winteractive - International 1993 (formerly Fit Trek) scheduled from 1993 January 23 to February 7.
3. That the Director of Culture and Recreation be authorized to confirm Hamilton as a pilot test site for the Break Free All-Star Program to develop a smoke-free generation by the year 2000. This program is aimed at 8 - 10 year olds and is a joint project of Health and Welfare Canada, Fitness Canada and Provincial Recreation Ministries.
4. That approval be granted of the action taken to register the Chairperson of the Parks and Recreation Committee or his designate to attend the Canadian Parks and Recreation Conference to be held 1992 August 9 to August 13 in Penticton, British Columbia.
5. That commencing 1992 December 1, season passes to Chedoke and King's Forest Golf Courses may be purchased by instalments subject to the following conditions:
  - (a) That instalments be paid by post-dated cheques.
  - (b) That the final payment be made by April 1 of the current golf season.
6.
  - (a) That the City of Hamilton advise the International Institute for Peace that it wishes to participate in the Peace Parks Across Canada project which is part of the commemorative activities of Canada's 125th Anniversary of Confederation; and
  - (b) That the City's participation be the designation of a Peace Grove comprised of 12 trees which will circle the proposed Peace Plaza in the concept plan of T. B. McQuesten Park.



7. That the following artifact be deaccessioned and offered as partial compensation for acquisition of another artifact: M1985.300.1 1860 Spencer Carbine.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Kiss. -1.

**CARRIED.**

8. (a) That the Director of Culture and Recreation and the Director of Property be authorized to proceed with a design-built, 1,200 square foot addition to the Mountain Skating Centre to serve as multi-purpose space at a cost not to exceed \$100,000. contingent upon a financial contribution from the Hamilton Skating Club.

(b) That funding be provided from Account No. CF709041011.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -14.

NAYS: Alderman Copps -1.

**CARRIED.**

9. (a) That the Director of Property be authorized to retain the services of a consultant (s) to carry out a feasibility study required for the development of the Lake Avenue Seniors' Drop-In Centre/Riverdale East Recreation Centre.

(b) That funding to a maximum of \$60,000. be provided from Account No. CF708941003 5450 - Consultant Fees.



10. (a) That full membership status be authorized in the Ontario Minor Hockey Association for the following Recreational House Leagues of the Hamilton Minor Hockey Council:

- Coronation
- Eastwood
- Lawfield
- Mountain

- (b) That the ~~Parks and Recreation Committee~~ be authorized to hold an open-public information meeting for parents, coaches and league officials on Thursday, 1992 August 6 at 7:30 p.m. or other date and time which is not in conflict with "Neighbourhood Watch - The Night Out" at Sir Winston Churchill Auditorium to convey a final full understanding on Ontario Minor Hockey Association membership and non-member status for the Recreational House Leagues which have not requested to join the Ontario Minor Hockey Association:

- Parkdale
- Rosedale
- Scott Park

**AMENDED AND CARRIED.**

- (c) That ~~within two weeks~~ following this meeting, Parkdale, Rosedale and Scott Park House Leagues be requested to review their position with parents and coaches on Ontario Minor Hockey Association membership status and present their decision in writing by 1992 August 17 to the Department of Culture and Recreation.

**AMENDED AND CARRIED.**

- (d) ~~DELETED~~



11. (a) That the authority to organize the hosting of the 1994 International Children's Games in Hamilton and to co-ordinate the Provincial and Canadian broader participation in the Games be delegated to the Hamilton Children's International Games Committee (Chairperson Colin Millar) subject to the Bi-Annual Progress report to be provided to the Parks and Recreation Committee through the Department of Culture and Recreation.
- (b) That the authority to organize the athletic representation in the Children's International Games be subject to:
- i. Process and selection from the appropriate sport governing bodies of the competitive venues related to the Department of Culture and Recreation.
  - ii. That it be understood that selection be based on athletic standards and a personal interview which weighs all criteria of the sport and the representational responsibilities.
- (c) That representation in the 1993 Games be determined by 1993 March 1 with the intention:
- i. To field complete athletic teams.
  - ii. To provide appropriate official representation in the year immediately prior to the Hamilton hosting.

The support of the Provincial Ministry and the Federal Departments will be necessary for the next three years.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -13.

NAYS: Alderman Copps -1.

**CARRIED.**



12. That the Director of Culture and Recreation be authorized to:
  - (a) Bid for the 1995 Ontario Winter Games.
  - (b) Bid for the 1994 Canadian Masters Games.
  - (c) Reconfirm the hosting of the 1994 Canadian Junior Golf Championships.
13.
  - (a) That the Department of Culture and Recreation participate in the Feasibility and Needs Study for the East Hamilton Kiwanis Boys and Girls Club being conducted by Leisure Plan International Inc.
  - (b) That funding to a maximum of \$5,000. be provided from Account No. CH53105 70040.
14.
  - (a) That an "Agreement by Owner to Accept Compensation" for the property expropriated on 1973 December 31 from the Estate of Anna Simon or the Assignee more particularly known as Part 2 and an Easement over Part 7, Plan P-795A Surveys (Limeridge Road East), executed on 1992 May 11 and scheduled for closing on or before 1992 August 27, be approved and completed. The total compensation of \$158,818. is exclusive of legal, appraisal, engineering and planning consultant costs which have been incurred by the Owner and is exclusive of interest on the unpaid balance of compensation which must be paid at a rate of 6% calculated from 1973 December 31 until the closing date in accordance with provisions of the Expropriations Act.
  - (b) That an "Agreement by Owner to Accept Compensation" for the property expropriated on 1973 March 1 from Harold V. Bordanaro or the Estate of Harold V. Bordanaro or the Assignee of either John Petis, John Craig and Frank Silvestri more particularly known as Part 1, Plan P-795 Surveys (Limeridge Road East), executed on 1992 May 11 and scheduled for closing on or before 1992 August 27 be approved and completed. The total compensation for the 10.2959 acres of land of \$441,243. is exclusive of legal, appraisal, engineering and planning consultant costs which have been incurred by the Owner as a result of this expropriation and is exclusive of interest on the unpaid balance of compensation which must be paid by the City at a rate of 6% calculated from 1973 March 1 until the closing date in accordance with provisions of the Expropriations Act.



- (c) That the Regional Municipality of Hamilton-Wentworth be requested to cost share in this settlement by paying the purchase price, interest and costs associated with lands acquired for Regional purposes.
  - (d) That the compensation, interest and costs be charged to Account Centre CH00201 (Reserve for 5% Land Dedication); and, that reimbursement from the Regional cost sharing be returned to this same Account Centre CH00201 (Reserve for 5% Land Dedication).
  - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
15. (a) That staff be authorized to design and construct Phase II, Jimmy Thompson Pool Alterations, to meet the barrier free design standards for Recreation Buildings at an estimated cost of \$26,000. which includes male and female washrooms, an elevating device, viewing area to accommodate wheelchairs, appropriate signage, parking spots and other alterations.
- (b) That the cost of undertaking these alterations be charged to Account No. CF5255 708641003.
16. That leave be granted to introduce the following Bill:
- B-3** By-law to Amend Cemeteries By-law No. 8861 Respecting Revised Tariff of Charges

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 July 21**



## **REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. (a) That Section 9 of By-Law 92-094 respecting the Chief Building Official and Inspectors appointed under the Building Code Act be amended by adding the following name:
  - (i) Michael Reilly
- (b) That the City Solicitor be authorized and directed to prepare an amending by-law for presentation to City Council.
2. That the Region be requested to grant a two-year extension to the draft approval for "Ridgeview Estates" subdivision (File No. 25T-76046)
3. A. That approval be given to Site Plan Control Application DA-92-10 by Hamilton Store Fixtures Ltd., lessee of lands at 131-133 Market Street to establish a parking area subject to the following:
  - (a) modification to the plan in relation to notes, dimensions, exit driveway and landscape area as marked in red on the plans;
  - (b) submission of a revised landscape plan to the satisfaction of the Director of Local Planning; and,
  - (c) that the plans be incorporated in a Site Plan Control Agreement to be registered on Title of the land as required by the condition of approval of Zoning Application ZA-91-55.



B. That Item 10 of the Second Report for 1991 of the Planning and Development Committee approved by City Council on 1992 January 28, respecting Zoning Application ZA-91-55 by Hamilton Store Fixtures Ltd., lessee for property at 131-133 Market Street be amended as follows:

(a) Delete Item 10.A(a)(iv) and replacing it with the following:

"(iv) that a minimum 1.5 m wide planting strip shall be provided along a portion of the westerly property line for a distance of 18.0 m from the front property line."

(b) Amend Item 10.A(a)(vi) by deleting the word "westerly" and adding the following statement to the end of the sentence:

"and 20 m along the westerly property line, together with a chain link fence on the remainder of the westerly property line."

(c) Delete Item 10.A(a)(iii) and renumber the remaining sections accordingly.

4. That appropriate staff - Building, Law, Planning and Traffic Departments be authorized to represent the City, as required, at Ontario Municipal Board Hearings where an appeal is filed against a decision of the Committee of Adjustment to deny an application for residential conversion and where staff did not support the application.

5. That approval be given to City Initiative 92-B, to amend Zoning By-law No. 6593, as amended by by-law No. 81-20, to provide for a revised definition of "Home Occupation", on the following basis:

(a) That subsection 2.(2)H.(iii) of Zoning By-law No. 6593, as amended by By-law No. 81-20, be further amended by:

(i) deleting the preamble "but does not include an incidental and secondary use that consists of," and deleting clauses (h),(i), (j) and (k):

(ii) inserting new clauses (h) and (i) as follows:



- "(h) shall include an incidental and secondary use, limited to not more than:
  - 1. one hairdresser or one barber;
  - 2. one comb-out centre; and,
  - 3. one hair styling sink;
- (i) shall not include an incidental and secondary use that consists of:
  - 1. motor vehicle repairs, auto body repairing and painting of motor vehicles; and,
  - 2. keeping of scrap and salvage material."
- (iii) That subsection 3.(3) of Zoning By-law No. 6593 be amended by deleting clause (i) and replacing it with new clauses (ia), (ib) and (ic), as follows:
  - "(ia) A home occupation, except that hairdressing or barbering home occupations shall not be permitted within a "B" (Suburban Agriculture and Residential, etc.), "B-1" (Suburban Agriculture and Residential, etc.) or "B-2" (Suburban Residential) District;
  - (ib) Private home day care;
  - (ic) The keeping of small animals or fowl not primarily for gain;"
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (c) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.



6. That approval be given to amended Zoning Application 91-76, 200 Rymal Road Inc. (John A. Parente), owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1"); and from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District (Block "2"), to permit a single-family dwelling on Block "1" and townhouses and/or multiple dwellings (stacked townhouses) on Block "2", for lands on the south side of Rymal Road East and west of the proposed extension of Upper Wellington Street, as shown on the attached map marked as Appendix "A", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;
  - (c) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to lands shown as Block "2", be modified to include the following variances as special requirements:
    - (i) That notwithstanding Sections 10C and 10E of Zoning By-law No. 6593, no building or structure except a fence, shall be set back less than 21.0 m from the westerly lot line of Block "2", except for the land adjacent to the easterly lot line of Block "1" which shall be set back not less than 6.0 m ;
    - (ii) That a minimum 21.0 m wide landscaped area shall be provided and maintained along the westerly lot line of Block "2", except for the land adjacent to the easterly lot line of Block "1" which shall have a minimum width of 6.0 m;
    - (iii) That Section 10E(2)(a)3. of Zoning By-law No. 6593 shall not apply to the land fronting onto Rymal Road East or Upper Wellington Street, located in Block "2";
    - (iv) That a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly lot line of Block "2";



- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1278, and that the subject lands on Zoning District Maps E-9D and E-9E be notated S-1278;
  - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9D and E-9E for presentation to City Council;
  - (f) That the proposed changes in Zoning are in conformity with the Official Plan for the Hamilton Planning Area;
  - (g) That the Allison Neighbourhood Plan be amended by redesignating Block "2" from "Attached Housing" to "Low Density Apartments".
7. That Zoning Application 92-24, Stanley Hinz, owner, requesting a rezoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District to permit the creation of a single-family dwelling lot, for the property located at 62 Kennedy Avenue, as shown on the attached map marked as Appendix "B", be denied for the following reasons:
- (a) it is contrary to the Council adopted policy for this portion of the Kennedy East Neighbourhood of allowing for the creation of additional lots fronting onto Christie Street only;
  - (b) it is incompatible with the character of the existing development in this portion of the Neighbourhood;
  - (c) it is an indiscriminate mix of lots sizes which is undesirable; and,
  - (d) approval of the application would encourage other similar applications, which if approved, would undermine the character of the Neighbourhood.



8. (a) That approval be given to Zoning Application 91-83, Brusan Development Corporation., owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "2") and "A" (Conservation, Open Space, Park and Recreation) District (Block "1"), to permit single-family detached dwellings and a park, for the property located south-west of Upper Paradise Road and Rymal Road West, shown as Block "1" and "2" on the attached map marked as Appendix "C", on the following basis:
- (i) That Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation , Open Space, Park and Recreation) District;
  - (ii) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37 and W-27E for presentation to City Council;
  - (iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (b) Subdivision Application:
- A. That approval be given to application 25T-92002, Brusan Developments, owner, to establish a draft plan of subdivision in the area south of Rymal Road West and east of the City limits, subject to the following conditions:
- (a) That approval apply to the plan prepared by Planning Initiatives Ltd., dated 90/07/10 showing 231 lots and various blocks revised in red as follows:
    - (i) to terminate Street A at Street G with a corner rounding and required relotting;
    - (ii) to provide a 12m sewer easement from Street A to the east limit of the subdivision lands;



- (iii) to provide storm sewer and watermain easements as required by the Regional Roads Department;
  - (iv) to delete certain reserve blocks and to number the remaining lettered blocks;
  - (v) to provide 2m x 2m daylighting triangles at the corner of Lots 79 and 196;
  - (vi) to provide 9m radius transitional curves at the beginning and end of all street bulbs;
  - (vii) to provide street widening adjacent to Rymal Road West to 18.0m from the centreline;
  - (vii) to provide an angle on Street C of less than 120 degrees and a centreline radius of the roadway of 30m or less.
- (b) That the final plan not be approved until such time as municipal sewers, water and adequate road access are available to service the lands.
  - (c) That the streets and walkway be dedicated to the City of Hamilton as public highways and public walkway in the final plan.
  - (d) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (e) That the final plan conform to the Zoning By-law approved under the Planning Act.
  - (f) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (g) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (h) That the owner convey Block 232 to the City of Hamilton for park purposes.



- (i) That Blocks 234 to 242 inclusive be developed only in conjunction with abutting lands.
  - (j) That any dead-ends or open sides of the road allowances created by the final plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  - (k) That the owner shall erect a sign in accordance with Section XI of the subsequent subdivision agreement, prior to the issuance of a final release by the City of Hamilton.
  - (l) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- B. That the subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application, (25T-92002) Brusan Development Corporation, owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
9. That Zoning Application 92-11, Rabindranath Ghosh and Urmila Ghosh, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit the established four-family dwelling on property located at No. 160 Sherman Avenue South, as shown on the attached map marked as "Appendix "D", be denied for the following reasons:
- (a) It is contrary to the intent of the Official Plan, in that it represents the introduction of a four-family dwelling into an area predominantly occupied by single-family and two-family dwellings and would contribute to an indiscriminate mix of housing types;
  - (b) It conflicts with the intent of the approved St. Clair Neighbourhood Plan;



- (c) Approval of the application would be contrary to the intent of By-law 76-229 (St. Clair Neighbourhood Rezoning) which downzoned this area from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "C" (Urban Protected Residential, etc.) District, in effect, eliminating the potential for townhouses and permitting conversions to two-family dwellings only;
  - (d) It is contrary to recently adopted City Council policy on the "Housing Intensification Strategy" respecting Residential Conversions, in that the "C" District would only permit one accessory apartment as-of-right in all existing single-family dwellings, whereas four are proposed. Furthermore, three of the four dwelling units would not meet the minimum 65m<sup>2</sup> (700 sq.ft.) floor area requirement (i.e. 305.5 sq. ft., 454.25 sq. ft. and 512.25 sq. ft.).
  - (e) Approval of the application would encourage other similar applications which, if approved, would alter the character of the area and undermine the intent of the Zoning By-law.
10. That approval be given to Zoning Application ZA-92-21, 870964 Ontario Limited (Domenic DiBernardo), owner, requesting a further modification to the existing "G" (Neighbourhood Shopping Centre) District, to permit restaurants, for property located at 209 Limeridge Road East, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the "G" (Neighbourhood Shopping Centre) District regulations as set out under Section 13 of Zoning by-law No. 6593, as amended by By-law No. 84-34, applicable to the subject lands, be further modified to include the following variance as a special requirement:
    - (i) That Section 2(a)(ii) of By-law No. 84-34 be amended by adding the numeral "(iv)" after "(iii)" in the second line thereof.
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-852a, and that the subject lands on Zoning District Map E-9A be notated S-852a;
  - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-Law No. 6593, as amended by By-Law No. 84-34, and Zoning District Map E-9A for presentation to City Council; and,



- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 11.
- A. That draft Hamilton Official Plan Amendment No. 99 respecting 45 Rifle Range Road be revised by redesignating the subject lands on Schedule "A" - Land Use Concept of the Official Plan from "Industrial" to "Major Institutional" and "Residential", and by removing the subject lands from Special Policy Area 11 on Schedule "B" -Special Policy Areas, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton Wentworth.
  - B. That approval be given to a further amended Zoning Application 90-40, Patran Holdings Limited, owner, for changes in zoning from "M-14" (Prestige Industrial) District to "C" (Urban Protected Residential, etc.) District, modified (Block "1") to permit a secondary school (St. Mary's) with an accessory day nursery, and to "RT-20" (Townhouse - Maisonette) District, modified (Block "2") to permit 95 townhouse dwellings, on property located at 45 Rifle Range Road, as shown on the attached map marked as Appendix "F", on the following basis:
    - (a) That Block "1" be rezoned from "M-14" (Prestige Industrial) District to "C" (Urban Protected Residential, etc.) District;
    - (b) That Block "2" be rezoned from "M-14" (Prestige Industrial) District to "RT-20" (Townhouse - Maisonette) District;
    - (c) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
      - (i) That notwithstanding Section 9(2) of By-law No. 6593, no building shall exceed two stories, and no structure shall exceed 14.5 m in height;
      - (ii) That notwithstanding Section 9(3) of By-law No. 6593, the following yards shall be provided and maintained;
        - 1. a front yard of a depth of not less than 9.0 m on Whitney Avenue;



2. side yards of a width of not less than 9.0 m except that the northerly side yard shall have:
    - 2.1 a width of not less than 111.40 m for the two storey principal building; and,
    - 2.2 a width of not less than 20.0 m for any portable classroom buildings.
  - (d) That the "RT-20" (Townhouse - Maisonette) District regulations as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
    - (i) That notwithstanding Section 10E(7)(a)(i) of Zoning By-law No. 6593 a maximum of 95 townhouse dwelling units shall be permitted.
  - (e) That the amending By-laws be added to Section 19B of Zoning By-law No. 6593 as Schedules S-1228 and S-1277, and that the subject lands on Zoning District Maps W-46 & W-47 be notated S-1228 and S-1277;
  - (f) That the City Solicitor be directed to prepare separate By-laws for Blocks "1" and "2", to amend Zoning By-law No. 6593 and Zoning District Maps W-46 & W-47 for presentation to City Council;
  - (g) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 99 by the Regional Municipality of Hamilton-Wentworth; and,
  - (h) That the Ainslie Wood Neighbourhood Plan be amended by redesignating Block "1" from "Industrial" to "Civic and Institutional" and Block "2" from "Industrial" to "Attached Housing".
- C. That By-law No. 79-275, as amended by By-law No. 87-223 be amended by adding Block "1" to Schedule "A".



- D. That final Site Plan Approvals for Blocks "1" and "2" be withheld until notification is received from the Ministry of Environment that the decommissioning process has been satisfactorily completed.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -13.

NAYS: Aldermen Kiss, Copps. -2.

**CARRIED.**

12. That leave be granted to introduce the following Bills:

- (a) Bill C-73      A By-law to adopt Official Plan Amendment No. 99 respecting lands located at Municipal No. 45 Rifle Range Road within the Ainslie Wood Neighbourhood
- (b) Bill C-74      A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-laws No. 87-118 and 90-071 respecting lands located at Municipal Nos. 1489 to 1495 Upper Gage Avenue
- (c) Bill C-75      A By-law to amend Zoning By-law No. 6593 respecting the Regulation of Satellite Dishes
- (d) Bill C-76      A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 85-231 respecting lands located at Municipal Nos. 547 and 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North
- (e) Bill C-77      A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 547 and 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North
- (f) Bill C-78      A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 257 Mohawk Road West



- (g) Bill C-79            A By-law to establish Site Plan Control respecting land located at Municipal No. 257 Mohawk Road West
- (h) Bill C-80            A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 45 Rifle Range Road
- (i) Bill C-81            A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 45 Rifle Range Road

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Kiss. -1.

**CARRIED.**

- (j) Bill C-82            A By-law to establish Site Plan Control respecting land located at No. 45 Rifle Range Road
- (k) Bill C-83            A By-law to amend By-law No. 92-094 respecting the Chief Building Official and Inspectors appointed under the Building Code Act, R.S.O. 1990, Statutes of Ontario, Chapter B.13

- (l) Bill C-84            A By-law to amend Zoning By-law 6593 respecting lands located within the Block Bounded by Cannon Street East, Elgin Street, Barton Street East and Ferguson Avenue North (Carter Square.) **ADDED AND CARRIED.**

13. That the Corporation of the City of Hamilton repurchase the lands known as part of Lot 10 and part of Block 17 on Plan 62M-352, (1632 Upper Ottawa Street ) being more particularly described as the north half of Part 1 and all of Part 5 on Plan 62R-8770 from Mercanti Management Inc., Peter Mercanti, Morris Mercanti, Moore and Davis Enterprises Inc. and Arthur Glenn Bryant, at a price of \$96,008.00 and said amount be charged to Account Number CH 5X307 00102 (Reserve - Property Purchases). **ADDED AND CARRIED.**



1992 July 28

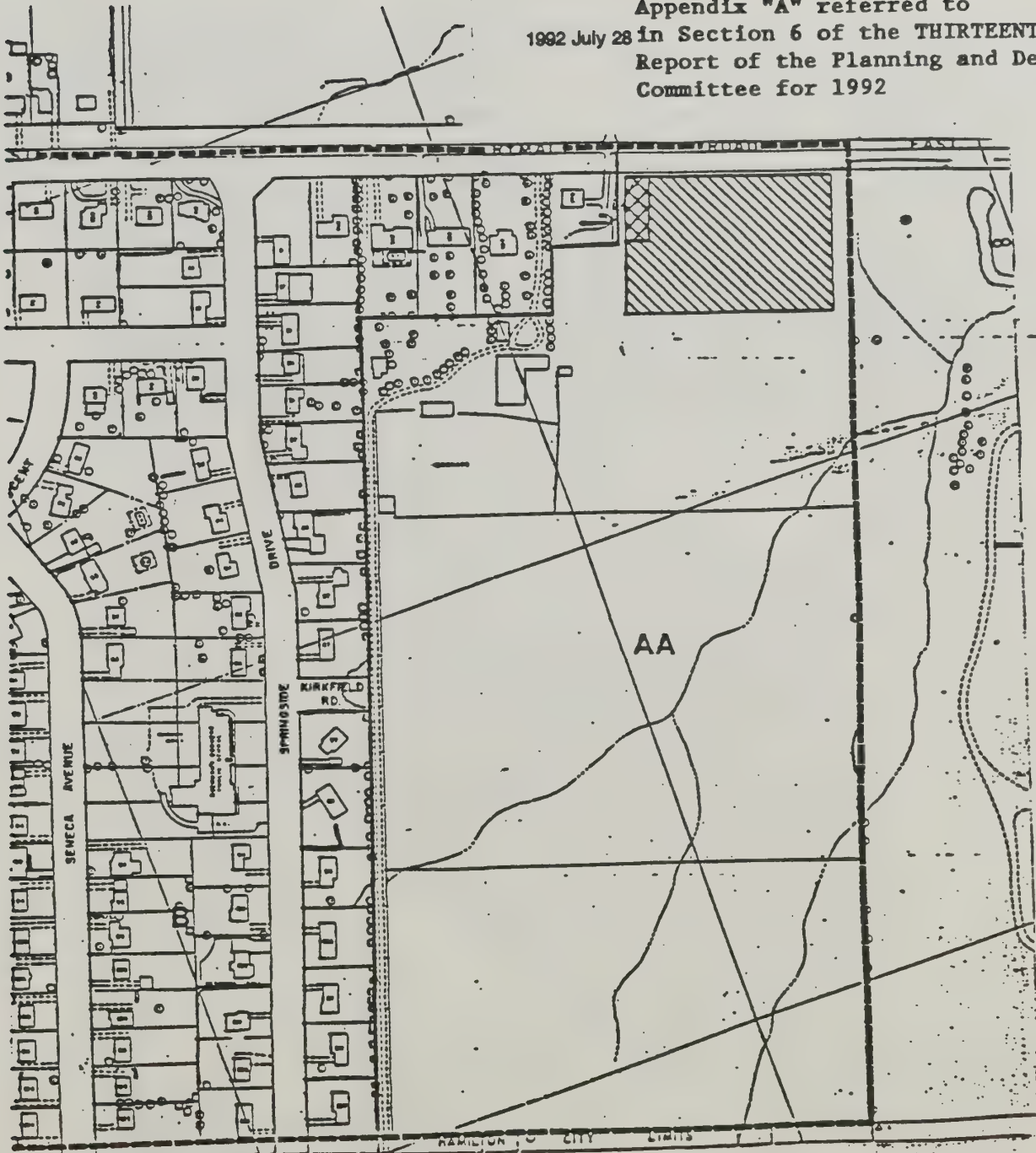
Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello  
Secretary  
1992 July 22





Appendix "A" referred to  
1992 July 28 in Section 6 of the THIRTEENTH  
Report of the Planning and Development  
Committee for 1992



Legend

Proposed change in zoning from "AA" (Agricultural) District to:

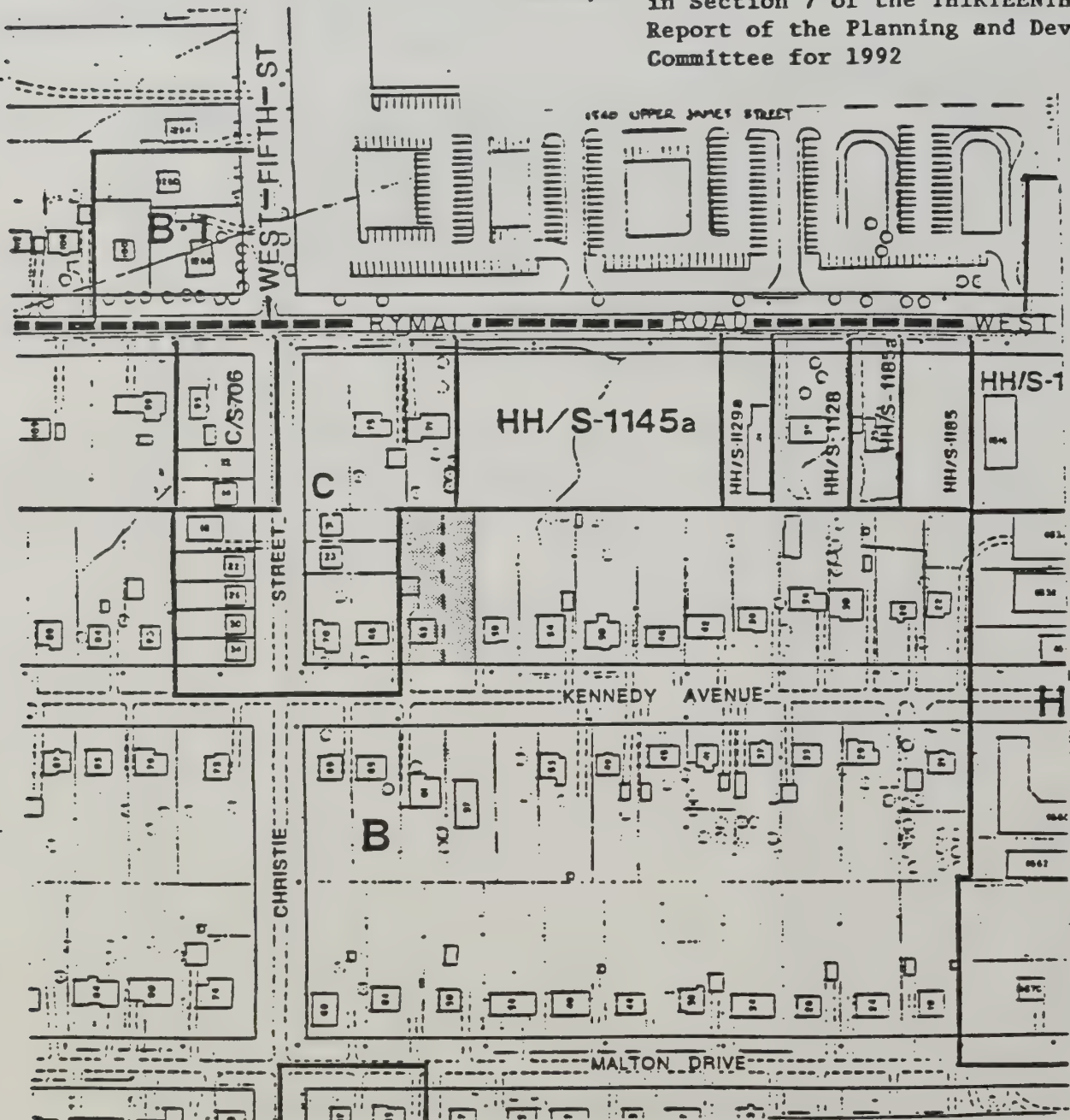
- BLOCK 1  "C" (Urban Protected Residential, etc) District
- BLOCK 2  "DE-3" (Multiple Dwellings) District



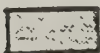
ZA-91-76



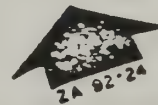
Appendix "B" referred to  
in Section 7 of the THIRTEENTH  
Report of the Planning and Development  
Committee for 1992



### Legend



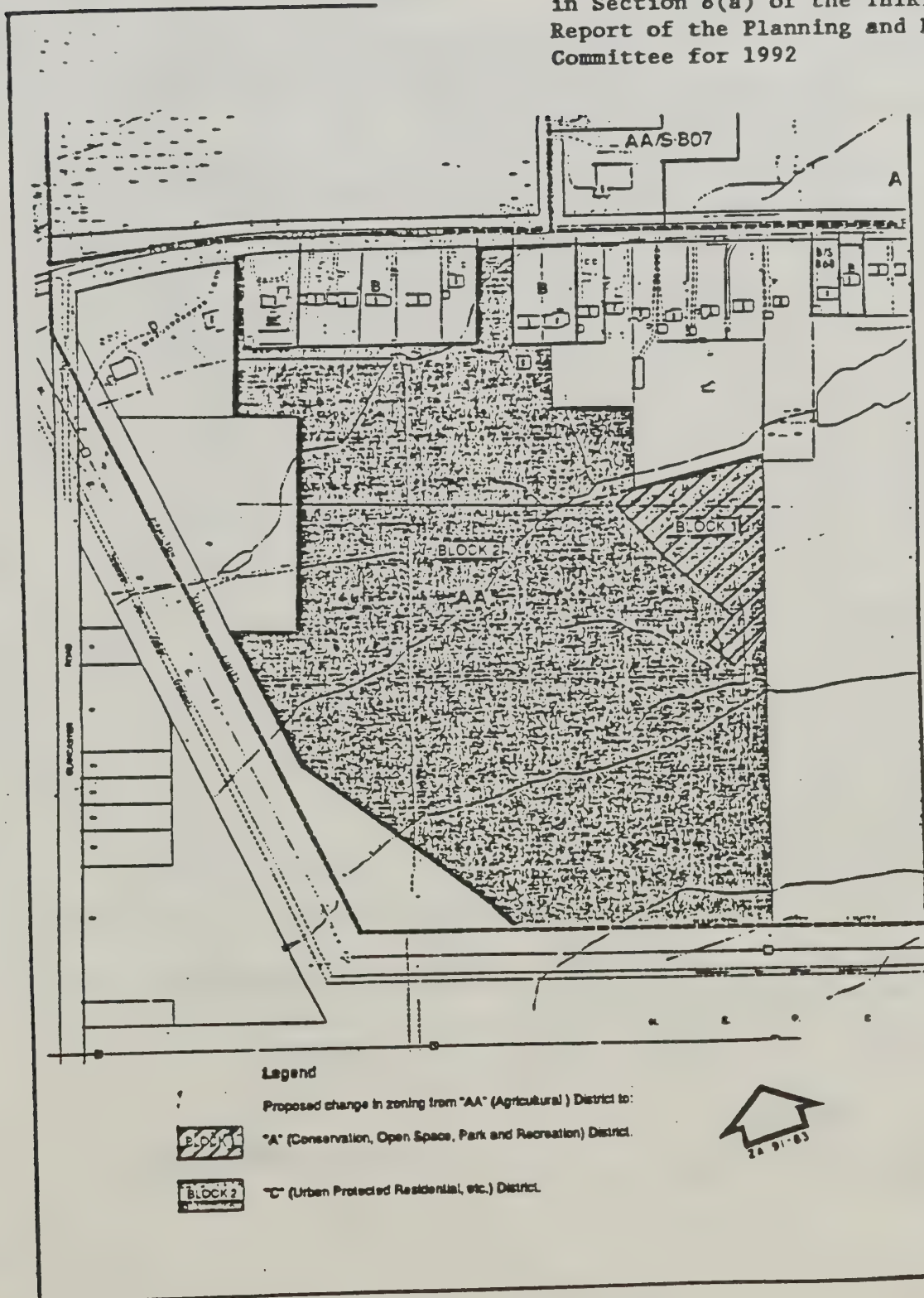
### Site of the Application



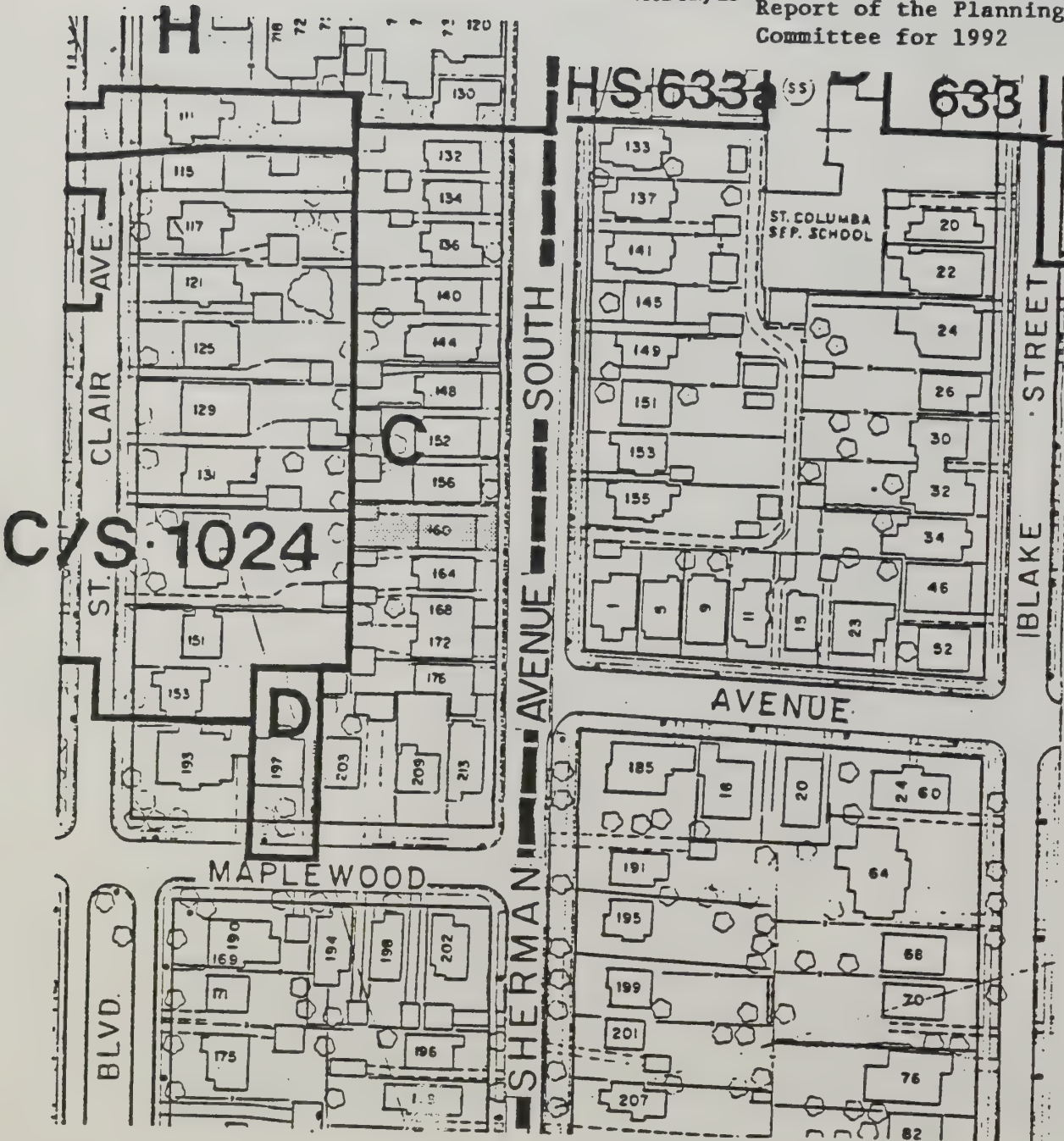


1992 July 28

Appendix "C" referred to  
in Section 8(a) of the THIRTEENTH  
Report of the Planning and Development  
Committee for 1992







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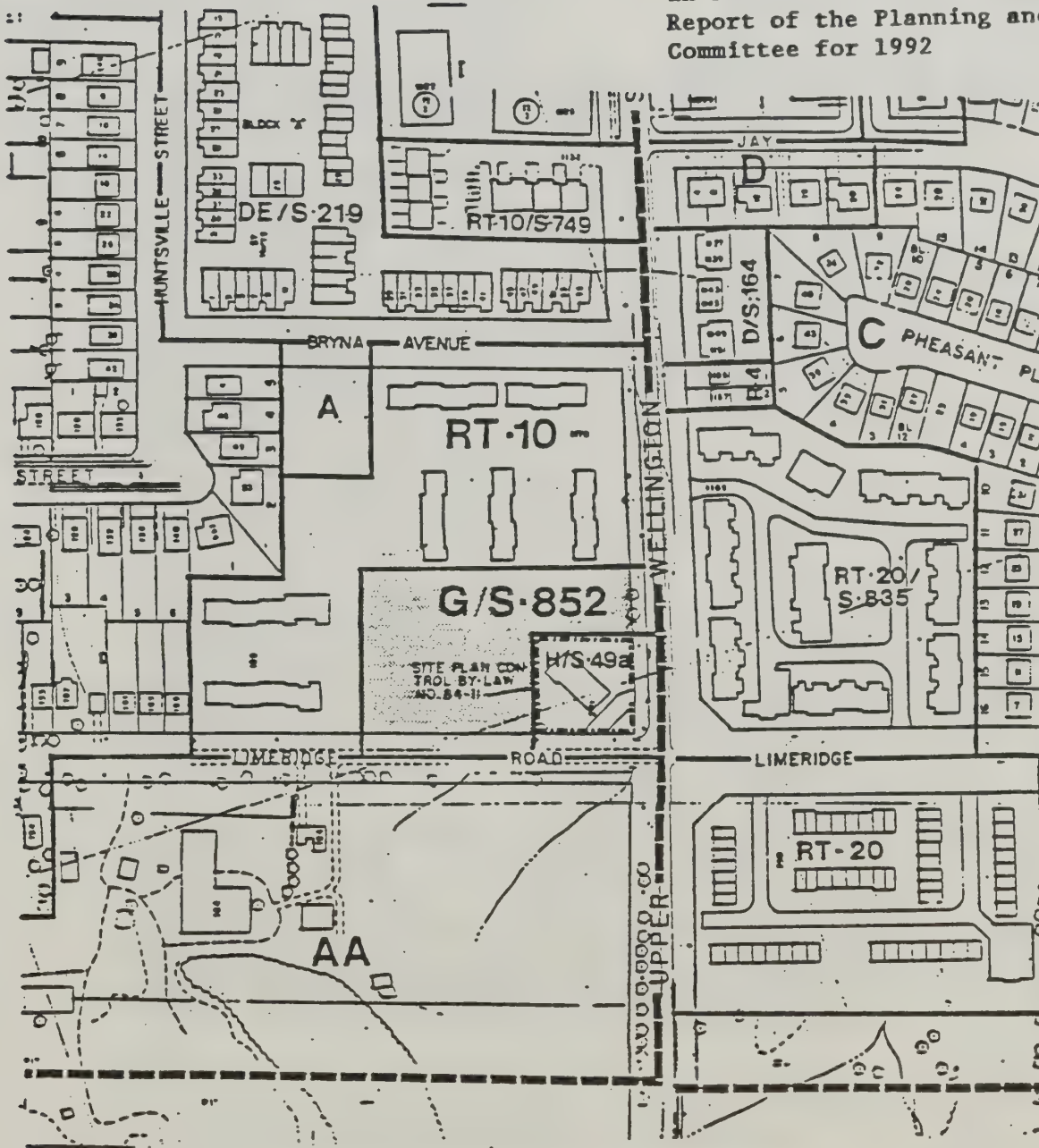
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ZA-82-11

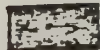


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1992 July 28

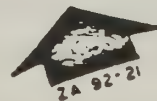
Appendix "E" referred to  
in Section 10 of the THIRTEENTH  
Report of the Planning and Development  
Committee for 1992



Legend



Site of the Application





[illegible]

Proposed change in zoning from "M-14" (Prestige Industrial) District, modified to:



ZA 90-40  
AMENDED



## **REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1992 and respectfully recommends:

1. (a) That the City Solicitor be requested to repeal City of Hamilton By-law No. 88-275, (By-Law of Adoption for Hamilton O.P.A. No. 62);
- (b) That approval be given to Official Plan Amendment No. 113, to incorporate changes to Schedule "A" - Land Use Concept of the Official Plan, and to Special Policy Area 10 on Schedule "B" - Special Policy Areas, to implement the Hamilton Beach Neighbourhood Plan, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth;
- (c) That the proposed Hamilton Beach Neighbourhood Plan, attached as Appendix 1 (text and maps), be adopted by Council; and,
- (d) That the Province of Ontario be requested to direct back the proceeds from the sale of surplus publicly-owned lands in the Beach Neighbourhood, to help fund open space improvements in the Beach area.
- (e) That the Parks Department of the City of Hamilton be the Manager and Developer of a natural pedestrian walkway in conjunction with the Hamilton Beach Preservation Committee and local residents.



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- (f) That the walkway exist primarily on the former beach railway line and that the bicycle path be incorporated into the existing Beach Boulevard.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico. -15.

NAYS: -0.

**CARRIED.**

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello  
Secretary  
1992 July 22



## **REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIFTH** Report for 1992 and respectfully recommends:

1. That the Second Level Lodging Home Licences for 98 Sherman Avenue South and 44 Proctor Boulevard held by Murphycare (Patrick Murphy) be revoked effective upon the satisfactory relocation of the residents.
2. That the Regional Health and Social Services Committee be asked to arrange for the satisfactory relocation of the Second Level Lodging Home residents of 44 Proctor Boulevard and 98 Sherman Avenue South.

On 1991 March 20 and 21 Mr. Patrick Murphy appeared before the City of Hamilton Licensing Committee with regard to infractions of the Second Level Lodging House By-law No. 80-259 relating to fire safety, supervision and physical upkeep of the premises at 98 Sherman Avenue South, Hamilton.

The Licensing Committee was extremely concerned but, in view of the fact that the home was meeting standards at the present time, and because of concerns for the well being of residents and unfair disruption and impact upon their lives if the licence was suspended, agreed that a one year probationary period be imposed upon Second Level Lodging House Licence No. 44 held by Murphycare (Patrick Murphy), 98 Sherman Avenue South. The Committee also requested the relevant City and Regional Departments to report any further breaches of the Second Level Lodging House By-law.

As the result of further By-law infractions at 98 Sherman Avenue, Mr. Murphy attended a Show Cause Hearing on 1991 September 11. At that time the Licensing Committee extended the probationary period on the Second Level Lodging Home Licence for a one year period to commence 1991 September 11 and requested continued monitoring by the relevant City and Regional Departments.



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On 1992 July 22 Mr. Murphy attended before the Licensing Committee at a Show Cause Hearing with regard to violations of the Ontario Fire Act at Second Level Lodging Homes at 98 Sherman Avenue and 44 Proctor Boulevard.

Witnesses appeared on behalf of the City of Hamilton Fire Prevention Bureau and the Regional Municipality of Hamilton-Wentworth Health Department and gave evidence with regard to fire safety, supervision and nutrition at the two properties.

Mr. Murphy spoke on his own behalf and submitted supporting documentation which was entered as Exhibits "A" to "F" and is in the possession of the secretary.

After consideration the Licensing Committee made the foregoing recommendation based primarily upon the Licencee's non-compliance with the Fire Code and, in addition, on complaints by the Regional Social Services Department with regard to adequate nutrition and supervision of the residents.

3. That the Cartage Vehicle Licence application of Don Slater and Dorothy Auclair be denied on the grounds of Mr. Slater's extensive criminal and bad driving record. (Further information can be obtained from the secretary.)

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE  
CHAIRPERSON  
CITY OF HAMILTON LICENSING  
COMMITTEE**

Stella Glover  
Secretary

1992 July 22



## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1992 and respectfully recommends:

1. (a) That the monthly mortgage payments due the City from Theatre Terra Nova/Theatre Focus (Hamilton) Inc. be reduced temporarily for a period of commencing 1991 November 1 to 1992 June 1 (inclusive) and a further 6 months to 1992 December 1 from the present amount of \$1,339. to a new amount of \$100. per month on the following conditions:
  - (i) that the borrower enters into a Mortgage Amending Agreement with the City;
  - (ii) that the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment as indicated above;
  - (iii) that the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;
  - (iv) that the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.
- (b) That the amount of \$625.51 received on 1991 November 1 be used to pay for the monthly payments of \$100., if approved, for 1991 November 1 to 1992 February 1 and any outstanding interest due to delayed payment and the balance of the funds be used towards the outstanding property taxes.
- (c) That the City Treasurer be directed to report back to the Finance and Administration Committee should Theatre Terra Nova/Theatre Focus (Hamilton) Inc. not resume regular monthly mortgage payments of \$1,339. per month as of 1993 January 1, as outlined in the original mortgage dated 1990 August 30.



Note: For the information of City Council, staff have been directed to investigate alternative uses for this building which can be considered in the event that Theatre Terra Nova is unable to assume regular monthly mortgage payments.

2. (a) That a purchase order be issued to King Equipment Manufacturing, Woodstock, in the amount of \$103,483., including all taxes and trade-in, being the lowest of six tenders received for the replacement of One (1) Chassis Mounted Aerial Device with Chipper Body, Unit #9627, Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH 5X503 00101.
- (b) That there is a five month delivery time, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".
3. (a) That a purchase order be issued to Superior Boiler Works & Welding Ltd., Hamilton, in the amount of \$55,013.50 including all taxes to renovate the pool ventilation system at Westmount Recreation Centre being the lowest of four quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation and that this expenditure be financed through Operating Supplies Account No. CF 57255 319241002.
- (b) As this work must be done by mid-September and there is a 6-week delivery time, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".



4. That a ruby insert for a previously awarded civic gold ring be awarded to Karl Seifried, Head Coach of the Ontario Senior Men's Handball Team for winning the Canadian National Handball Championships held in Regina, Saskatchewan on 1992 May 15 - 17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

**CARRIED.**

5. (a) That civic silver pins be awarded to the following members of the Hamilton Hoppers Skipping Team for winning the 1992 Ontario Provincial Championship held in Hamilton in 1992 April:

Devin Misener	Shannon Crawford
Jennifer Feruglio	Melissa Eason
Michelle Wright	Sherri McCullough
Shelly Rolph	Tracy Bellemare
Jaclyn Duchesne	Stephanie Smith

- (b) That civic silver rings be awarded to the following members of the Hamilton Hoppers Skipping Team for winning the 1992 Canadian Championship held in Montreal in 1992 May:

Jaclyn Duchesne	Stephanie Smith
Shannon Crawford	

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Copps. -1.

**CARRIED.**



6. That the Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 July 15, attached herewith and marked Appendix "A", be approved.
7. That the contract settlement of The Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario and The International Brotherhood of Electrical Workers and the I.B.E.W. Construction Council of Ontario representing the following affiliated Local Union 105, Hamilton, attached herewith and marked ~~Appendix "B"~~, be received pursuant to the Fair Wage Policy of the City of Hamilton.  
**REPLACED AND CARRIED.**
8. That approval be given to the Canusa Games Board of Directors to use the City Hall forecourt on Thursday, 1992 August 6 from 11:00 a.m. to 1:00 p.m. for the purpose of sending off the torch runners who will carry the torch from Hamilton, Ontario to Flint, Michigan in conjunction with the 35th Annual Canusa Games to be held in Flint, Michigan from 1992 August 7-9.
9. That an Option to Purchase, executed by Union Gas Limited (D.J. Moore, Vice-President and R.S. Valdis, Assistant Secretary) on 1992 June 29, and scheduled for closing on or before 1992 November 9, for the purchase of a parcel of land located east of Kinrade Avenue between Barton Street and Cannon Street, measuring 11 feet (3.35 metres), by 11 feet (3.35 metres), be approved and completed, and the purchase price of \$1. be charged to Account No. CH 4X501 00102 (Sale of Land - Property Purchases). Subject parcel is surplus to Union Gas requirements and is located in the Municipal Parking Lot at this location.
10. (a) That a purchase order be issued to Digital Equipment Corporation in the amount of \$2,785. per month (plus Taxes) for the on-going maintenance of Digital Equipment Fileservers and Software.  
  
(b) That annual increases in maintenance costs in 1993 and 1994 be permitted provided that they do not exceed the Consumer Price Index or inflation. Funds provided from Account No. CH 57138 26032 (Hardware Maintenance).



11. (a) That Microcomputer workstations and printers be acquired in accordance with the following:

<u>Description</u>	<u>Supplier</u>	<u>Price</u>	<u>Comment</u>
Panasonic 386-SX25 Microcomputers	4 Office Automation Burlington	\$ 1,539.	lowest acceptable of 27 proposals
Hewlett Packard IIP printers	Tristar Hamilton	\$ 1,163.	lowest acceptable of 12 proposals

- (b) That funding be provided from Account No. CH 56605 26032 (Workstation Leasing).
12. (a) That a purchase order be issued to Kimberly Clark Computer Services, (KCCS) sole supplier, in the amount of \$75,000. U.S. for the acquisition of CSP/ADE (Cross System Product/ADE) Software. Funds provided from Account No. CH 56005 25415 (Computer Software - Tax Project).
- (b) That the software licensing agreement be in a form satisfactory to the City Solicitor.
- (c) That a purchase order with an upset limit of \$25,000. U.S. be issued to KCCS for the staff training required to use the CSP/ADE software. Funds provided from Account No. CH 55204 26018 (Training-Contractual).
13. (a) That Scott Computer Leasing of Mississauga provide leasing services for microcomputer workstations and printers at the rate of \$28.90 /\$1,000./month for 36 months (the lowest of six proposals received).
- (b) That the term of the lease agreement with Scott be to 1994 November 30, with an option in favour of the City to extend for the balance of the lease term.



- (c) That decisions to lease or purchase be made in each case, in consultation with the Treasurer.
  - (d) That the master lease agreements be in a form satisfactory to the City Solicitor (the City of Hamilton is the lessee).
  - (e) That funding be provided from Account No. CH 56605 26032 (Workstation Leasing).
14. That as referred to in Section 34(b) of the Eighth Report of the Transport and Environment Committee for 1992, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the following projects:
- (a) Limeridge Road north side from approximately 400 m east of Upper Wellington Street to approximately 127 m easterly - independent concrete sidewalk at an estimated gross cost of \$21,000. with a City's share of \$10,860.80 to be financed from 1992 Capital Levy and the balance of \$10,139.20, being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$10,139.20 for a term not to exceed 20 years for the above project.
  - (b) Limeridge Road south side from Upper Wellington Street to approximately 263 m easterly and from approximately 376 m east of Upper Wellington Street to approximately 69 m easterly - independent concrete sidewalk at an estimated gross cost of \$50,000., with a City's share of ~~\$25,588.80~~ be financed from 1992 Capital Levy and the balance of ~~\$24,411.20~~, being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$20,560. for a term not to exceed 20 years for the above project. **AMENDED AND CARRIED.**



15. That as referred to in Section 35(g) of the Eighth Report of the Transport and Environment Committee for 1992, the City's share of services for the following subdivisions in the total amount of \$76,422.78 be financed from the Reserve for City's Share of Service through Unsubdivided Lands up to the amounts available and the remaining balance from the Reserve for Capital Projects:
  - (a) "The Gardens of Rymal - Phase 3" - City's share \$5,479.45
  - (b) "The Gardens of Rymal - Phase 4" - City's share \$8,317.73
  - (c) "Rymal Square Estates - Phase 3" - City's share \$62,625.60
16.
  - (a) That approval be given to issue a purchase order for \$24,157., to cover the costs of extra work performed by Power Vac. in connection with the removal of asbestos from the City Hall cafeteria.
  - (b) That the cost of undertaking this work be charged to Account No. CF 5255 319041007 (Asbestos Abatement Programme).
17. That up to four (4) members of City Council be authorized to attend the 1992 South-Central Ontario Municipal Conference: A Training and Developmental Opportunity being hosted by the Ministry of Municipal Affairs at the Royal Connaught Hotel in Hamilton on 1992 October 28 and 29.
18.
  - (a) That effective 1992 January 1, the annual licence fee for Flea Market Owners be reduced to \$400.;
  - (b) That all Hamilton Flea Market Owners be required to ensure that all individual stallholders are licenced pursuant to Hamilton Licence By-law No. 79-323.
  - (c) That the City Solicitor be authorized to prepare a draft by-law to amend City of Hamilton Licence By-law No. 79-323 to reflect these changes.
19.
  - (a) That the licence fee for each location be \$500. for 3 months for Transient Traders;
  - (b) That the City Solicitor be authorized to prepare a draft by-law to amend City of Hamilton Licence By-law No. 79-323 to reflect this change.



20. That the following resolution from the City of Stoney Creek respecting the playing of the National Anthem "O Canada" at the beginning of each Council meeting be adopted: **AMENDED AND CARRIED.**

**WHEREAS** Stoney Creek is the home of Canada Flag Day, and

**WHEREAS** Stoney Creek is a proud and patriotic city, and

**WHEREAS** "O Canada" is our National Anthem, and

**WHEREAS** it is important to set a positive example in our community;

**NOW THEREFORE BE IT RESOLVED:** that the National Anthem "O Canada" be played at the beginning of each Council meeting in the City of Stoney Creek and further that this recommendation be circulated to all Regional and City Councils, in the Province of Ontario, with populations over 50,000, in the hope that they will support this motion, or adopt a similar resolution.

21. That the following resolution from the Town of Ancaster respecting Bell Canada - Regional Long Distance Telephone Charges - Petition for Local Toll Free Calling be received:

**WHEREAS** Bell Canada provides communication services to the citizens of the Regional Municipality of Hamilton-Wentworth, and

**WHEREAS** the Canadian Radio-television and Telecommunications Commission regulates the expansion of services by Bell Canada for Local Toll Free Calling, and

**WHEREAS** the Regional Municipality of Hamilton-Wentworth is a community legally incorporating the local municipalities of Ancaster, Dundas, Flamborough, Glanbrook, Stoney Creek and Hamilton for the purposes of government, and



**WHEREAS** the local municipalities have a duty to ensure that their citizens are provided the most beneficial and economical services available, and

**WHEREAS** Bell Canada, through the CRTC, provides communications to the citizens of the local municipalities, and

**WHEREAS** the citizens of the Region of Hamilton-Wentworth have a need to intercommunicate, and will receive a real benefit by being able to do so between each municipality without the need for Long Distance Charges.

**THEREFORE, BE IT RESOLVED:**

1. That the Council of the Corporation of the Town of Ancaster petition the CRTC to grant Bell Canada permission to establish Local Toll Free Calling between all the Municipalities and citizens in the Hamilton-Wentworth Region as soon as possible, and Bell Canada be advised of our action in this regard.
  2. That a copy of this resolution be forwarded to the Council of the Regional Municipality of Hamilton-Wentworth and the Councils of the Area Municipalities within the Region, requesting their endorsement.
22. (a) That Council support the following resolution of the Regional Municipality of Niagara which requests the Canadian Radio-Television and Telecommunications Commission (CRTC) to defer approval of a Bell Canada rate increase for local channel circuits until further information has been provided and provision is made for municipalities to appeal the proposed increases:
- (i) That the Canadian Radio-Television & Telecommunications Commission (C.R.T.C.), be requested to defer any decision on proposals submitted by Bell Canada for increases in local channel rates until Bell Canada provides full information to municipalities and government agencies serviced by Bell Canada, and these customers are provided an opportunity to appeal the proposed increases;



- (ii) That the resolution of Council be circulated to the 12 local area municipalities in Niagara, the Association of Municipalities of Ontario, and all municipalities throughout the Province with a population in excess of 50,000, with a request that they support the resolution and convey their support to the C.R.T.C.

- (b) That Council's resolution be forwarded to AMO (The Association of Municipalities of Ontario) for their information.

23. That the following resolution from the Town of Capreol respecting the present Criminal Justice System in Canada be received:

**WHEREAS** a number of innocent citizens in this country lose their lives every year at the hands of violent criminals while out on bail;

**AND WHEREAS** the present criminal justice system in Canada does not provide for sufficient safeguards and restrictions on the conditional release of criminals on bail;

**BE IT THEREFORE** resolved that the Municipal Council of the Town of Capreol hereby petitions the Parliament of Canada to recognize that crimes of violence against a person are serious and abhorrent to society and to amend the Criminal Code of Canada, the Bail Reform Act and the Parole Act accordingly to ensure that no criminals are released without bail hearings presided over by judges and in such a manner and under such conditions to ensure the public's safety.

**FURTHERMORE** that this resolution be submitted to the local Member of Parliament and to all municipalities in Ontario for support.

Recorded vote.

**YEAS:** Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, D'Amico. -12.

**NAYS:** Alderman Jackson -1.

**CARRIED.**



24. That the salary classification for the following non-union position in the City Clerk's Office be approved in accordance with the recommendation made by the City Core Group.

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Chief Licence Inspector	Supervisor of Licence Inspectors; Co-ordination and direction of enforcement of licence by-laws; Prepare and conduct show cause hearings for the Licence Division.	L	\$43,484.48- \$51,205.44

25. That the City of Hamilton enter into a co-operative education programme with the Board of Education (Parkview Secondary School) to designate the City of Hamilton as a Training Station and that the Chief Administrative Officer execute the agreement in a form satisfactory to the City Solicitor.

26. That the following salary classification be approved:

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Manager of Administration (formerly Office Manager II)	Manage and co-ordinate the provision of administrative services for the Traffic Department.	K	\$47,412.56- \$55,811.08 per annum

27. (a) That the Law Department be restructured along the lines recommended by the Comprehensive Audit Report to reflect well-defined areas of service delivery, replacing the present extended structure.



(b) That the new organizational structure include the following staffing adjustments:

<u>Position Title</u>	<u>Increase</u>	<u>Decrease</u>
Legal Assistant		1
Administrative Assistant		1
Stenographer I		1
Paralegal/Prosecutor	2	
Administrative Co-ordinator	1	
Net change in staff complement -		Nil

(c) That the two new positions be classified in the following manner as recommended by the Core Group:

<u>Title</u>	<u>Purpose</u>	<u>Salary Schedule</u>
Paralegal/Prosecutor	To conduct title searches, handle first appearances, guilty pleas and trials in Provincial Offenses Court.	"N" \$37,794. - \$44,568.
<u>Title</u>	<u>Purpose</u>	<u>Salary Schedule</u>
Administrative Co-ordinator	Manage and co-ordinate administrative services in the Law Department, including budget control, staff supervision and training.	"M" \$40,640. - \$47,819.



- (d) That the following title changes, resulting from the reorganization, be approved:

<u>From</u>	<u>To</u>
Manager of Legal Services	Senior Solicitor
Manager of Property Law	Senior Solicitor

28. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 20758/90 by the payment to the Plaintiffs, Rose Rizzo and Armando Rizzo, of the sum of \$25,000. inclusive of all damages, interest and costs.
- (b) That the Plaintiffs be required a Full and Final Release in a form satisfactory to the Law Department.
- (c) That Ontario Court (General Division) Action No. 20758/90 and any and all cross-claims shall be dismissed without costs.
29. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 28871/91 by the payment to the Plaintiff, Janet Blair, of the sum of \$7,350. inclusive of all damages, interest and costs.
- (b) That the Plaintiff be required to sign a Full and Final Release in a form satisfactory to the Law Department.
- (c) That Ontario Court (General Division) Action No. 28871/91 and any and all cross-claims shall be dismissed without costs.
30. That discussions be co-ordinated and undertaken by Mayor Morrow with the respective parties: Dofasco; the City; the Regional Assessment Office; and the Region to determine if there is an opportunity to resolve the matter respecting the Judgement of the Court of Appeal prior to exercising further legal avenues open to all parties and to report back to the Finance and Administration Committee and City Council.



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31. That leave be granted to introduce the following Bills:

- (a) Bill H-49      A By-law to authorize the Replacement of Pool Filtration System - Jimmy Thompson Pool.
- (b) Bill H-50      A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

**Charlene Coutts  
Acting Secretary  
1992 July 23**



THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Daryl Couch	Forestry Investigator (D-19)	Public Works	New Position Council Approved January 28, 1992	\$36,071.36	15/06/92
Mr. Bradley Fleming	Forestry Investigator (D-19)	Public Works	New Position Council Approved January 28, 1992	\$36,071.36	15/06/92
Mr. Patrice Leconte	Forester II (D-18)	Public Works	Replacing Mr. F. Kell - resigned	\$34,717.28	29/06/92
Mr. Scott Plante	Forestry Co-Ordinator (D-20)	Public Works	New Position Council Approved January 28, 1992	\$36,420.80	08/06/92

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Appendix "A" referred  
to in Section 6 of the  
Fifteenth Report of the  
Finance and Administration  
Committee for 1992.



THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Norman Bush	Firefighter I	Fire	Retired	30 years, 2 months	27/06/92
Mr. Robert Ellison	Assistant General Manager	H.E.C.F.I.	Retired	14 years, 8 months	30/06/92
Mr. John Kelp	Typist Clerk II	Public Works	Resigned	3 years, 2 months	26/06/92

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The Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario and The International Brotherhood of Electrical Workers and the I.B.E.W. Construction Council of Ontario representing the following affiliated Local Union 105, Hamilton.

Duration of Agreement - Feb. 15, 1992 to May 1, 1994

	Date	Base Rate	VP & SHP	Tax* Union Fund	Non-Tax* Union Fund	Wage Pkg.	Industry Fund	Assoc Fund	Total Pkg.
Journeyman	Feb 15/92	\$26.55	2.66	0.20	3.92	33.33	0.20	0.18	\$33.71
	May 1/92	\$26.55	2.66	0.20	4.02	33.43	0.30	0.18	\$33.91
	May 1/93	\$27.55	2.76	0.20	4.02	34.53	0.30	0.18	\$35.01
	May 1/94	\$28.65	2.86	0.20	4.02	35.73	0.30	0.18	\$36.21
Foreman	Feb 15/92	\$29.21	2.92	0.20	3.92	36.25	0.20	0.18	\$36.63
	May 1/92	\$29.21	2.92	0.20	4.02	36.35	0.30	0.18	\$36.83
	May 1/93	\$30.31	3.03	0.20	4.02	37.56	0.30	0.18	\$38.04
	May 1/94	\$31.52	3.15	0.20	4.02	38.89	0.30	0.18	\$39.37
Apprentices Feb. 15/92									
40 1st Period		\$10.62	1.06	0.20	3.92	15.80	0.20	0.18	\$16.18
50 2nd Period		\$13.28	1.33	0.20	3.92	18.73	0.20	0.18	\$19.11
60 3rd Period		\$15.93	1.59	0.20	3.92	21.64	0.20	0.18	\$22.02
70 4th Period		\$18.59	1.86	0.20	3.92	24.57	0.20	0.18	\$24.95
80 5th Period		\$21.24	2.12	0.20	3.92	27.48	0.20	0.18	\$27.86
Apprentices May 1/92									
40 1st Period		\$10.62	1.06	0.20	4.02	15.90	0.30	0.18	\$16.38
50 2nd Period		\$13.28	1.33	0.20	4.02	18.83	0.30	0.18	\$19.31
60 3rd Period		\$15.93	1.59	0.20	4.02	21.74	0.30	0.18	\$22.22
70 4th Period		\$18.59	1.86	0.20	4.02	24.67	0.30	0.18	\$25.15
80 5th Period		\$21.24	2.12	0.20	4.02	27.58	0.30	0.18	\$28.06
Apprentices May 1/93									
40 1st Period		\$11.02	1.10	0.20	4.02	16.34	0.30	0.18	\$16.82
50 2nd Period		\$13.78	1.38	0.20	4.02	19.38	0.30	0.18	\$19.86
60 3rd Period		\$16.53	1.65	0.20	4.02	22.40	0.30	0.18	\$22.88
70 4th Period		\$19.29	1.93	0.20	4.02	25.44	0.30	0.18	\$25.92
80 5th Period		\$22.04	2.20	0.20	4.02	28.46	0.30	0.18	\$28.94



1992 July 28

Apprentices

May 1/94

40 1st Period	\$11.46	1.15	0.20	4.02	16.83	0.30	0.18	\$17.31
50 2nd Period	\$14.33	1.43	0.20	4.02	19.98	0.30	0.18	\$20.46
60 3rd Period	\$17.19	1.72	0.20	4.02	23.13	0.30	0.18	\$23.61
70 4th Period	\$20.06	2.01	0.20	4.02	26.29	0.30	0.18	\$26.77
80 5th Period	\$22.92	2.29	0.20	4.02	29.43	0.30	0.18	\$29.91

Note:

1. A Union Administration Fund of 63 cents shall be deducted, effective February 15, 1992.
2. All Union, Industry and Association Funds are to be remitted by the 10th of the month following to: Hamilton Electrical Administration Funds, 370 York Boulevard, Suite 102, Hamilton, Ontario, L8R 3L1.
3. Owner Contractors are eligible for Health & Welfare Benefits (\$0.90) and the Retirement Fund (\$3.00). Contact L.U. 105 for details.
4. Industry Funds include: \$0.10 Promotion; \$0.10 Bill 162; \$0.10 Education. They are payable effective May 1, 1992.
5. GST is calculated on Association Fund and remitted with payment.

\*Breakdown of Union Funds:

Taxable: Retirement Incentive Plan \$0.20  
Non-Taxable: Health & Welfare \$0.90, Retirement Fund \$3.00, CCO Fund \$0.02 (12 cents effective May 1, 1992)



## **REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Finance and Administration Committee presents its SIXTEENTH Report for 1992 and respectfully recommends:

1. That the request from the James Street Baptist Church to defer payment on their principal portion of their Heritage Trust Fund Loan be approved for a period not to exceed two years. This will reduce the monthly payment from \$555.13 to \$214.63.
2. That the Treasurer and the Commissioner of Human Resources be authorized to accept applications from eligible employees who wish to purchase season's tickets to the Hamilton Canucks Hockey Club and/or memberships to either of the two Civic Golf courses, on a payroll deduction basis, provided:
  - (a) repayment by the employee will be in equal instalments to be fully paid no later than the end of the applicable season;
  - (b) any administrative costs associated with the Hamilton Canucks project will be recovered by the City by mutual agreement between the Treasurer and the Hamilton Canucks;
  - (c) promotional material with respect to this offer may be forwarded to employees with their pay cheques/stubs on a timely basis.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

Charlene Coutts  
Acting Secretary  
1992 July 28







URBAN/MUNICIPAL  
CA4 ON HBL AOS  
M21  
1992

Hamilton City Council  
1992 August 25  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow

Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino,  
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico

Absent: Alderman McCulloch - Civic Business

City Council commenced with the playing of the National Anthem.

\* \* \* \* \*

Reverend Yu-Rak Kim, Korean United Church led Council in prayer.

\* \* \* \* \*

The minutes of the meeting held 1992 July 28 were adopted as circulated.

\* \* \* \* \*

Correspondence:

1. Memorandum dated 1992 August 19 from J. J. Schatz, City Clerk to Members of City Council regarding the Supplementary Clerk's Statement on Candidates Disclosure.

**Received.**

2. Letter dated 1992 August 5 from the Town of Kincardine respecting Public Sector Pension Funds.

**Referred to the Finance and Administration Committee**



3. Application dated 1992 August 4 from Robert J. Charko, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Townhouses, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for 174 Ferguson Avenue South, Hamilton, Ontario.

**Received.**

4. Application dated 1992 July 29 from Ernie and Thom Schoenholz, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property located at No. 719 Knox Avenue, Hamilton, Ontario.

**Received.**

5. Application dated 1992 August 4 from Elia Homes, 810379 Ontario Inc., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District modified for property at No. 1324 Upper Sherman Avenue, Hamilton, Ontario.

**Received.**

6. Application dated 1992 August 5 from 603815 Ontario Inc., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District modified to "HH" (Restricted Community Shopping and Commercial District modified for property at No. 1492 Upper James Street, Hamilton, Ontario.

**Received.**

7. Application dated 1992 August 5 from Peter Esposto, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District for property at No. 9 Brantdale Avenue, Hamilton, Ontario.

**Received.**



8. Application dated 1992 August 9 from Mike Anderson, Hamilton, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District for No. 217 Cannon Street East, Hamilton, Ontario.

**Received.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Agro in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

<b>TRANSPORT AND ENVIRONMENT COMMITTEE - NINTH REPORT</b>
---

**Section 21 Re: Banners Over Main Street**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Wilson, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico-13.

NAYS: Alderman Copps-1.

**CARRIED.**



**Section 27 Re: Option to Purchase 643 Rymal Road West**

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father has a financial interest in lands immediately adjacent to the subject property.

\* \* \* \* \*

**PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT**

**Section 1 Re: Selling of Beer - Hamilton Restaurant Three-Pitch League - Globe Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico  
-13.

NAYS: Alderman Jackson-1.

**CARRIED.**

\* \* \* \* \*

**PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT**

\* \* \* \* \*



PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT

Section 30    Re:    Zoning Application 88-129 - Stone Church Road East and Upper Wentworth Street.

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 30B of the Fifteenth Report of the Planning and Development Committee be amended by deleting Sub-Section (14) reading "a commercial lending library; and,".        **CARRIED.**

\* \* \* \* \*

CITY OF HAMILTON LICENSING COMMITTEE - SIXTH REPORT

\* \* \* \* \*

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT

Section 1    Re:    New Fire Station 4 - Upper Sherman Avenue.

Recorded vote.

YEAS:        Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, Ross, D'Amico-13.

NAYS:        Mayor Morrow, Aldermen Jackson, Charters-3.        **CARRIED.**

\* \* \* \* \*



**Section 15 Re: 643 Rymal Road West.**

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father has a financial interest in lands immediately adjacent to the subject property.

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Charters that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to allow consideration of a recommendation respecting authorization to attend a conference.

**CARRIED.**

\* \* \* \* \*

**Section 20 Re: 1992 Conference on Governmental Ethics Laws.**

It was moved by Alderman Ross and seconded by Alderman Charters that the following be added as Section 20 of the Seventeenth Report for 1992 of the Finance and Administration Committee:

20. (a) That Alderman V. Agro be authorized to attend the 1992 Conference on Governmental Ethics Laws being held 1992 September 22-25, at the Hilton International in Toronto, and
- (b) That the estimated cost of approximately \$1,200. be charged to Legislative Travel Account CH 55201 - 10010.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider a resolution respecting Bill C-330.

**CARRIED.**

\* \* \* \* \*



**Section 21    Re: Bill C-330 - An Act to Amend the Criminal Code and Parole Act.**

It was moved by Alderman Agostino and seconded by Alderman Jackson that the following be added as Section 21 of the Seventeenth Report of the Finance and Administration Committee:

21.    (a)    That the City of Hamilton endorse the intent of Bill C-330, an Act to Amend the Criminal Code and Parole Act, and ask the Members of Parliament in the House of Commons of all political parties to support the Bill and ensure quick implementation of the legislation, and
- (b)    That this be circulated to all area MP's and a copy be sent to the Office of the Prime Minister."
- CARRIED.**

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Charters that Section 26 of the Fourteenth Report for 1992 of the Finance and Administration Committee approved by City Council on 1992 June 30 respecting caretaking services at various recreation centres during 1992, 1993, 1994 be reconsidered.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Charters that Section 26 of the Fourteenth Report for 1992 of the Finance and Administration Committee be amended by deleting all references to September 1, 1992 and inserting in lieu thereof "October 5, 1992."

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Charters that Section 26 of the Fourteenth Report for 1992 of the Finance and Administration Committee be approved as amended.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman D. Ross be appointed as Acting Mayor for the month of September, 1992.

**CARRIED.**



\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee and the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico  
-16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-62, A-63, A-64, A-65, A-66, A-67.

C-85, C-86, C-87, C-88, C-89, C-90, C-91.

H-51, H-52, H-53, H-54, H-55, H-56, H-57, H-58, H-59, H-60.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico  
-16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Agro in the chair. (second reading).

A-62, A-63, A-64, A-65, A-66, A-67.

C-85, C-86, C-87, C-88, C-89, C-90, C-91.

H-51, H-52, H-53, H-54, H-55, H-56, H-57, H-58, H-59, H-60.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

A-62, A-63, A-64, A-65, A-66, A-67.

C-85, C-86, C-87, C-88, C-89, C-90, C-91.

H-51, H-52, H-53, H-54, H-55, H-56, H-57, H-58, H-59, H-60.

\* \* \* \* \*



It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-62, A-63, A-64, A-65, A-66, A-67.

C-85, C-86, C-87, C-88, C-89, C-90, C-91.

H-51, H-52, H-53, H-54, H-55, H-56, H-57, H-58, H-59, H-60.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-62, A-63, A-64, A-65, A-66, A-67.

C-85, C-86, C-87, C-88, C-89, C-90, C-91.

H-51, H-52, H-53, H-54, H-55, H-56, H-57, H-58, H-59, H-60.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



1992 August 25

City Council then adjourned at 8:15 o'clock p.m.

\* \* \* \* \*

Taken as read and approved.

---

Mayor R. M. Morrow

J. J. Schatz  
City Clerk

1992 August 25



## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1992 and respectfully recommends:

1. (a) That northbound traffic on Vespari Place be required to stop for eastbound and westbound traffic on Megna Court; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That northbound traffic on Donn Avenue be required to stop for eastbound and westbound traffic on Highridge Avenue; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That a "No Stopping" regulation be implemented on the east side of Toro Drive commencing at Greenhill Avenue and extending to a point 70 feet southerly therefrom; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That the second lane from the west curb on Nebo Road from 100 feet north of Rymal Road to Rymal Road be designated for left turns only; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
5. (a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the south side of Barton Street West between Ray Street North and Oxford Street; and  
(b) That the City Traffic By-law No. 89-72 be amended accordingly.



6.
  - (a) That a "No Stopping" regulation be implemented on the north side of Whitfield Avenue commencing at Gage Avenue North and extends to a point 72 feet westerly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
7.
  - (a) That a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Biggar Avenue commencing at a point 457 feet east of Sherman Avenue and extending to a point 293 feet west of Lottridge Street; and
  - (b) That a "No Parking" regulation be implemented on the south side of Biggar Avenue commencing at Sherman Avenue and extending to Lottridge Street; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
8.
  - (a) That the existing "No Parking" regulation on the south side of Britannia Avenue between Ottawa Street North and London Street North be shortened such that the regulation commences at Ottawa Street North and extends to a point 235 feet easterly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
9.
  - (a) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on William Street between Barton Street East and Birge Street be removed; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
10.
  - (a) That Rice Avenue between Mohawk Road West and Sanatorium Road be deleted from the through street system; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
11.
  - (a) That a "Permit Parking" regulation be implemented on the east side of Erie Avenue commencing at a point 337 feet south of Main Street East and extending to a point 20 feet southerly therefrom; and



- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Bachman, No. 33 Erie Avenue; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 12. That the existing by-law entry allowing for the implementation of a reserved "Permit Parking" regulation on the west side of Greig Street commencing at a point 276 feet south of Barton Street and extending to a point 22 feet southerly therefrom, be rescinded.
- 13.
  - (a) That a "Permit Parking" regulation be implemented on the east side of Weir Street North commencing at a point 57 feet south of Britannia Avenue and extending to a point 25 feet southerly therefrom; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Perks, No. 192 Weir Street North; and
  - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 14.
  - (a) That a "No Stopping" regulation be implemented on the south side of Arrowsmith Road commencing at a point 272 feet west of Centennial Parkway and extending to a point 111 feet westerly therefrom; and
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 15.
  - (a) That the McQuesten West, Delta East and Crown Point West Neighbourhoods be designated as Neighbourhood Watch Areas; and
  - (b) That Neighbourhood Watch Signs for the McQuesten West, Delta East and Crown Point West Neighbourhoods be erected and maintained by the City of Hamilton Traffic Department, as long as these neighbourhoods maintain an active Neighbourhood Watch Program as determined by the Regional Police Department; and
  - (c) That \$2,691.19 of the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program), and that the balance of \$1,321.31 be charged to Account No. CH56103 75420.



16. That the application of J. Darby, agent for the Trenholme Neighbourhood Park Association (35 Trenholme Crescent, Hamilton) to temporarily close Morningstar Court on Saturday, 1992 August 29 from 4:00 p.m. to 10:00 p.m. to hold a street dance and barbecue, be approved, subject to the following conditions:
  - (a) That approval from Regional Police Services be received;
  - (b) That the standard liability provision that the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss be waived and the City of Hamilton provide this standard insurance requirement;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
17. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of J. DeVries, agent for the Reach Forth Ministries (1350 Garth Street, Unit 76, Hamilton, Ontario L9C 5V3) to temporarily close Hughson Street North between Simcoe Street and Macauley Street on Saturday, 1992 August 22 from 12:00 noon to 8:00 p.m. in order to hold a soap box derby, subject to the following conditions:



- (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
18. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of T. Miller, agent for Partner's Film Company (508 Church Street, Toronto) to close Glenfern Avenue between Fairmount and Kent on Wednesday, 1992 July 29 from 9:00 a.m. to 8:00 p.m. in order to film a television commercial, subject to the following conditions:
- (a) That approval from Regional Police Services be received for a complete closure;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;



- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the closure by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
19. That the application of M. Rodenburgh, agent for McMaster University Orientation Week (33 Kingsmount Street North, Hamilton), to temporarily close King Street West between Cline Avenue and Forsythe Avenue and Sterling Street from Forsythe Avenue to Cline Avenue, from 6:00 p.m. to 7:30 p.m. on Wednesday, 1992 September 9 be approved subject to the following conditions.
- (a) That approval from Regional Police Services be received;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;



- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
  - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
20. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of J. Mouland, agent for Peter Kiewit and Sons (1315 Finch Avenue West, Downsview M3J 2G6) to close Chesley Street between Chester Street and Stone Church Road from Monday, 1992 August 10 to Friday, 1992 August 14 in order to make connections to existing sewer services, subject to the following conditions:
- (a) That approval from Regional Police Services be received for a complete closure;
  - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
  - (d) That all barricading be supplied by and at the expense of the applicant;
  - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;



- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
  - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
  - (h) That all property owners and tenants along the closed portion of the route be notified of the closure by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
21. That the applications of the following agents, to display promotional banners across Main Street West in front of City Hall on the following dates with the following messages, be approved:
- (a) G. Jackson (77 Dromore Crescent Hamilton), 1992 June 28 to July 5:  

1ST COMMEMORATION BAHAI REVELATION  
THE EARTH IS BUT ONE COUNTRY AND MANKIND ITS CITIZENS
  - (b) S. McLarty (12 Goldwin Street, Hamilton), 1993 July 26 to August 2  

NATIONAL OLDTIMERS BASEBALL CHAMPIONSHIP  
MOHAWK SPORTS PARK JULY 30, 31 - AUGUST 1, 2
  - (c) L. Robinson (55 York Boulevard, Hamilton) 1993 August 16 to August 23  

CELEBRATE LITERACY  
ADULT EDUCATION INFORMATION 527-2222
  - (d) D. Bowen (1 Bruce Park Drive, Hamilton) 1994 September 19 to 26  

HAMILTON TELECARE 25 YEARS OF SERVICE  
TROUBLED? UNSURE? LONELY? WE'RE ALWAYS THERE BECAUSE WE CARE

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Wilson, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico-13.

NAYS: Alderman Copps-1.

**CARRIED.**



22. That the application of A. DeRubis, solicitor for the owner (F. Pullia, 198 Glennie Avenue, Hamilton, L8H 5W2) to erect and maintain an encroachment of a retaining wall measuring 1.00 feet x 75.00 feet x 2.5 feet on the Britannia Avenue Road allowance, be approved during the pleasure of City Council provided:
  - (a) That the owner enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
  - (c) That the owner pay a first year fee of \$240. for processing and registration and an annual fee of \$20. for this encroachment.
23. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A" attached hereto, be approved during the pleasure of City Council provided:
  - (a) That the owner enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That the first year fee and subsequent annual fee as outlined in Appendix "A" be set for these encroachments.
24. (a) That a purchase order be issued to Fortran, Toronto, for the supply and delivery of 8 Phase Solid State Controllers @ \$6,060.39 and 4 Phase Solid State Controllers @ \$5,287.67 and 8 Phase Solid State Timers @ \$2,149.55 as and when required during 1992 for the Traffic Department being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through Traffic Signal Materials Account No. CH56152 75999.



- (b) As this material is required to be ordered as soon as possible due to the long delivery lead times, the above has been processed through the emergency procedure of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
25. (a) That the submitted schedules of works "AGRIGENTO GARDENS", HAMILTON, be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated cost of:
- |                           |                             |
|---------------------------|-----------------------------|
| City's Share - \$6,632.46 | Owner's Share - \$49,850.59 |
|---------------------------|-----------------------------|
- (b) That approval of the above-noted clause be subject to the condition that no work has commenced on the installation of services except as provided for in subsection (c) below.
- (c) That in the event the Owner's wish to proceed prior to the registration of the Final Reference Plan and the Modified Subdivision Agreement they should be allowed to do so at their own risk provided they enter into standard agreements with the City of Hamilton for pre-servicing.
- (d) That the City's share for services in "Agrigento Gardens" (\$6,632.46) be approved and that the Finance and Administration Committee recommend the source of funding for this project.
- (e) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary by-law(s) to establish Part 1 of a reference plan prepared by John P. Nouwens, O.L.S. as a public right-of-way in order to provide road access to the lands of Agrigento Gardens.
26. That upon registration of the Final Plan of Subdivision for "SANDRINA GARDENS - PHASE 1", Hamilton, in accordance with current City Policy, the Treasurer for the City of Hamilton be authorized and directed to financially compensate the Owners (DiCenzo Construction Company Limited) in the amount of \$122,600. for excess lands dedicated to the City for roadway purposes on Upper Gage Avenue which are beyond the maximum 26.0 metre width required by the City and that the Finance and Administration Committee recommend the source of funding.



27.
  - (a) That an Option to Purchase Agreement by the City, duly executed by the owner Caterina Battaglia on 1992 July 24 and scheduled for closing on or before 1992 November 30 for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton, being composed of part of Lot 1, Concession 1, having a frontage of 30.48 metres (100 feet) more or less, along the southerly road limit of Rymal Road West, by a depth of 85.344 metres (280 feet) more or less, comprising a total area of 2,601.2 square metres (28,000 square feet) more or less, together with all structures erected thereon, more particularly described as No. 643 Rymal Road West and shown as Part 1 on Registered Plan 62R-7866, be approved and completed.
  - (b) That the Finance and Administration Committee recommend the method of financing the purchase price of \$330,000.
  - (c) That the Vendor be allowed a one-time thirty (30) day extension to the closing date at no cost should it be required.
  - (d) That as consideration in the amount of \$2. has been paid to the owner pursuant to the Agreement, this amount be deducted from the purchase price.
  - (e) That approval of the above recommendations (sub-sections (a) to (d)), the Property Department be authorized to proceed to acquire a parcel of land (approximately 10,000 square feet) from the property owner south of the lands outlined under sub-section (a) in order to finalize the road access to the Carpenter Neighbourhood.
28.
  - (a) That a four-way stop control be implemented at the intersection of Marion Avenue South and South Oval.
  - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
29. That the City request of the Ministry of the Environment, in conjunction with the Ministry of Labour and the Health Department to report back to the Transport and Environment Committee if the owner/operator of Upper Sherman Auto Collision (1094 Upper Sherman Avenue) is being allowed to reopen this operation.
30. That the City request the Board of Education for the City of Hamilton to provide a full explanation of the Board's reasons for the cancellation of transportation for students of grades 6, 7 and 8 living less than 2.4 kilometres (1.5 miles) from school.



31. That leave be granted to introduce the following Bills:

- (a) **Bill A-62** 1. By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of sidewalks and curbs on Acadia Drive from Butler Drive to approximately 50 m southerly (west side only), as described in Schedule "A"; 2. The special assessment to pay a portion of the cost of the works by the abutting owners; 3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.
- (b) **Bill A-63** 1. By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of roadway only on Acadia Drive from Butler Drive to approximately 50 m southerly as described in Schedule "A"; 2. The special assessment to pay a portion of the cost of the works by the abutting owners; 3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.
- (c) **Bill A-64** 1. By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of sidewalks only on Acadia Drive from approximately 128 m south of Butler Drive to approximately 77 m southerly (west side only) as described in Schedule "A"; 2. The special assessment to pay a portion of the cost of the works by the abutting owners; 3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.
- (d) **Bill A-65** 1. By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of sidewalks and curbs on Beaverton Avenue from Upper Sherman Avenue to Acadia Drive (north side only), as described in Schedule "A"; 2. The special assessment to pay a portion of the cost of the works by the abutting owners; 3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.
- (e) **Bill A-66** By-law to Amend By-law No. 89-72 to Regulate Traffic



1992 August 25

(f) **Bill A-67** By-law to Amend By-law No. 89-72 to Regulate Traffic

**Respectfully Submitted,**

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson  
Secretary**

**1992 August 17**



Appendix "A" as referred to in  
Section 23 of the NINTH Report  
of the Transport and Environment  
Committee for 1992

Council Date: August 25, 1992

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
153 James Street South	An Exhaust Fan encroaching 3.0 ft onto the Augusta Street road allowance	G. Sangha 153 James Street South Hamilton, Ontario L8B 1W2	\$112.00/20.00	T103-50(1008)
148 Duke Street	A Portion of Building measuring 2.51 ft X 44.0 ft. and a Bay Window measuring 0.12 ft X 4.5 ft. and a Veranda and Steps measuring 5.1 ft X 5.3 ft. and a Frame Garage measuring 12.0 ft X 4.5 ft. onto the Caroline Street road allowance and a Portion of a Retaining Wall measuring 1.0 ft X 1.57 ft. and Step measuring .80 ft X 3.20 ft. onto the Duke Street road allowance	James W. Hammond Barrister, Solicitor, Notary Public 152 James Street South Hamilton, Ontario L8P 3A2	\$112.00/20.00	T103-50 (997)
46 Breadalbane Street	Steps measuring 1.08 ft X 2.18 ft X 6.0 ft onto the road allowance of Breadalbane Street	John M. Dean 1 King Street West Suite 700 Hamilton, Ontario L8P 1A4	\$112.00/20.00	T103-50 (1009)



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1992 and respectfully recommends:

1. That approval be given to the Hamilton Restaurant Three Pitch League to operate a beer garden on the occasion of their Three-Pitch Tournament to be held at Globe Park on Sunday, 1992 September 6 subject to the following terms and conditions:
  - (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico-13.

NAYS: Alderman Jackson-1.

**CARRIED.**

2. (a) That an "Agreement by Owner to Accept Compensation", to be executed by Nathan Lieberman and Samuel J. Sable (as former owners) and L & S Realty Company Limited (as purported Lessor) and Cannon Knitting Mills Limited (as tenant), and scheduled to close on or before 1992 August 30, for the lands and premises situated in the City of Hamilton, being composed of Parts 1 and 2 on Expropriation Plan 95902, subject to a right-of-way over Part 2 and together with



a right-of-way over Part 3, known as No. 43 Elgin Street, Hamilton, having a frontage of 6.86 metres (22.5 feet) more or less, along the western limit of Elgin Street and contains an area of 589.08 square metres (6,341.0 square feet) more or less, be approved and completed and the compensation of \$172,085. be charged to Account No. CF5590 62865005 (Beasley Park Acquisition).

- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
3. That the wording for the Terryberry plaque attached hereto as Appendix "A", be approved.
4. (a) That the Chedoke Ski area close on Mondays and Tuesdays only commencing the 1992 winter season.
- (b) That the following Ski Tow rates be approved:

	Existing	Revised
<b>Full Day</b>		
Adult	\$ 9.	\$13.
Junior	\$ 8.	\$12.
<b>Half Day</b>		
Adult	\$ 7.	\$11.
Junior	\$ 6.	\$10.
<b>Ski Packages</b>		
Adult	\$64.	\$90.
Junior	\$42.	\$80.

- (c) That the following Ski Tow package rates be approved as follows:

Chedoke Ski School	\$ 24. Adults/Youth
	\$ 18. Child



Chedoke Racing School                      \$ 45. all participants

Hamilton Association for  
Disabled Skiers                      \$1,000. flat fee

5.
  - (a) That approval be given to enter into a contract with 877138 Ontario Inc. o/a Bud's Contracting for construction of the road and parking lot at Pier 4 Park and the sanitary sewer and storm sewer for Pier 4 and Harbourfront Parks. The contract amount will be \$445,361.82.
  - (b) That the amount of \$288,170.24 be funded from Account No. CF419154007 for Pier 4 Park and the amount of \$157,191.58 to be funded from Account No. CF419254003 for Harbourfront Park.
  - (c) That a contract satisfactory to the City Solicitor be entered into between the City and 877138 Ontario Inc. o/a Bud's Contracting of Stoney Creek.
  - (d) That the Mayor and the City Clerk execute the contract on behalf of the City.
6. That the Director of Public Works be authorized to submit an application to host the 1994 Ontario Parks Association Annual Conference and Annual General Meeting.
7.
  - (a) That an Offer to Purchase, executed by DiCenzo Construction Limited (A. DiCenzo) on 1992 July 21 and scheduled for closing on or before 1992 November 9, for the purchase of part of the property at 1389 Upper James Street, shown as Parts 6 and 8 on Plan 62R-11790, containing 477.8 square metres (5,143.16 square feet) and 43.7 square metres (470.39 square feet) respectively be approved and completed.
  - (b) That in lieu of cash payment for this 0.129 acre parcel of land, the City of Hamilton will accept 0.129 acre of land from the 1.897 acres parkland credit of DiCenzo Construction Company Limited in Ryckman's Neighbourhood, leaving a parkland credit of 1.768 acres to be used by the DiCenzo Construction Company Limited in future subdivisions in this neighbourhood.
  - (c) That the Subdivision Administrator of the Roads Department be directed to deduct this 0.129 acre from the existing parkland credit of DiCenzo Construction Company Limited in the Ryckman's Neighbourhood.



8. That the Constitution attached hereto as Appendix "B", for the Friends of the Children's Museum, be approved.
9. That the Grounds Use Policy for Whitehern grounds dated 1992 July, attached hereto as Appendix "C", be approved.
10.
  - (a) That the action of the Parks and Recreation Committee be approved in granting the "Friends of Cari Can Festival" group permission to sell alcoholic beverages in Eastwood Arena on 1992 August 22 in conjunction with the Steel Band Afternoon Program and Evening Dance to be held in Eastwood Park and Arena subject to the normal conditions of the Special Events guidelines.
  - (b) That \$2 million public liability for bodily injury and property damage insurance be provided naming the City as co-insured.
  - (c) That the "Friends of Cari Can Festival" provide the City of Hamilton the sum of \$4,000. prior to the Saturday, 1992 August 22 event to cover the anticipated City-related costs for this event.
11. That the curator and the curatorial assistant of the Hamilton Military Museum be authorized to accept the invitation to attend the 180th Anniversary of the Re-enactment of the Borodino Battle (1992 September 4 to September 10) in Russia and the opening of the Borodino Museum Exhibit.
12.
  - (a) That the Chief Administrative Officer and the Director of Culture and Recreation be directed to work with the Kinsmen Club of Hamilton and the Regional Conservation Authority to secure the \$10,000. funding required to complete the playground facility for disabled children at Confederation Park.
  - (b) That subject to the required funds not being secured from the Regional Conservation Authority, the Director of Culture and Recreation be directed to place the required funding of \$10,000. in the 1993 portion of the 1993 - 1998 Capital Budget Submission.



1992 August 25

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson, Secretary

1992 August 18



Appendix "A" as referred to in  
Section 3 of the FIFTEENTH Report  
of the Parks and Recreation  
Committee for 1992

**WILLIAM TERRYBERRY (1779-1847)**

Since 1812, the name Terryberry has been associated with this section of Mohawk Road West. Having immigrated to the province of Upper Canada from the state of New Jersey, Terryberry purchased land along Concessions 6 and 7 in the Township of Barton.

Between 1791 and 1793, the Mohawk Road was a primary transportation route between the capital of Upper Canada at Newark (Niagara-on-the-Lake) and the thriving settlement at Ancaster. The road continued to provide an important link between Ancaster and the Niagara peninsula even after the capital of Upper Canada was removed to York (Toronto). In 1815, Terryberry took advantage of his farm's prime location along the road by constructing a two and one-half story frame structure for use as an inn.

The Terryberry Inn was a popular stage coach hotel for travellers along the Mohawk Road. It also served as a local community meeting place, being used for dances and other special gatherings. On May 4, 1816, the first public meeting of the voters of Gore District took place at the Terryberry Inn.



Appendix "B" as referred to in  
Section 8 of the FIFTEENTH Report  
of the Parks and Recreation  
Committee for 1992

## **FRIENDS OF THE HAMILTON CHILDREN'S MUSEUM**

### **CONSTITUTION**

- Purpose:** The Friends of the Hamilton Children's Museum, hereinafter called the Friends, is a voluntary organization endorsed by City Council and operating under the auspices of the City of Hamilton and the Department of Culture and Recreation and the guidance of the Hamilton Historical Board, hereinafter referred to as the HHBd., to support, foster and develop The Hamilton Children's Museum as a hands-on participatory and interactive site, where children of all ages discover the rich heritage of the world around them. The Friends will act in accordance with the Volunteer Policy of the Museums of the City of Hamilton.
- Objectives:**
- to promote and act in accordance with the Museum Statement of Purpose,
  - to establish and develop a Friends of the Hamilton Children's Museum membership,
  - to raise funds to be used by the museum,
  - to act as an advocacy group in the interest of the museum
  - to participate in the formation of the long range development plan for the Hamilton Children's Museum with the goal of realizing an expanded facility
- Amendments:** Since the objectives of The Friends can be expected to evolve as the Hamilton Children's Museum grows, this constitution may require amendment. Such amendments shall be recommended to the general membership at the time of the Annual General Meeting. If approved by two-thirds of the membership, the amendments shall be submitted to the HHBd. for recommendation to Parks and Recreation Committee and City Council and shall come into force following their approval.
- Executive Committee:** The Executive Committee shall consist of a President, a Past-President, a Vice President, a Secretary-Treasurer and four members-at-large. Five members of the Executive Committee shall constitute a Quorum for voting, however, in the first year four members of the Executive Committee will constitute a quorum. If a vote is tied then the President will cast a deciding vote.
- Terms of Office:** All terms of office will be for one year. Elections for the Executive Committee will take place at the Annual General Meeting by a majority vote of the membership.
- Role of Staff:** The Curator or designate will act as a resource person for the Executive Committee, all standing and Ad Hoc committees.



- Committees:** Membership to Standing Committees will be established at the Annual General Meeting by vote. Ad Hoc committees may be established by the Executive Committee as required. All committees report to the Annual General Meeting and in the interim to the Executive Committee.
- Steering Committee:** A Steering Committee will be established with the sole purpose of guiding the development of The Friends. A sub-committee of the Steering Committee, including members of the Executive Committee may be formed to undertake fund-raising activities. The Steering Committee will not actively fund raise. A work plan of activities will be forwarded to the HHBd. for recommendation to Parks and Recreation Committee and City Council.
- Following the first Annual General Meeting, in the spring of 1993, the Steering Committee will cease to exist. Its activities shall be assumed by the Executive Committee.
- Relationships:** The Friends will operate under the Volunteer Policy of the City of Hamilton Museums. Staff will advise and act as a resource to the Executive Committee. The Executive Committee will utilize representation from the HHBd. and report to the Board on a quarterly basis. The committees of The Friends may use the Hamilton Children's Museum logo for communications with the approval of the Executive Committee and the Curator. The Friends shall make written annual reports to the HHBd.
- Meetings:** Committees of The Friends will normally meet once a month throughout the year.
- The Annual General Meeting will be held in the spring of each year, at which time all Standing and Ad Hoc committees of The Friends shall present reports on their activities.
- By-laws:** By-laws shall be established or amended by the Membership subject to subsequent approval from the HHBd., Parks and Recreation Committee and City Council. By-laws may be introduced, revised, altered or amended only upon written notice being mailed to the membership at least thirty (30) days prior to the Annual General Meeting or special meeting called for such purpose. A two-thirds vote of the membership present shall be required to establish, amend any by-law.
- Membership:** Membership in The Friends shall be available to anyone interested in The Hamilton Children's Museum. Membership will be acknowledged upon receipt of application and fee in accordance with the By-laws of The Friends. Details of membership fees and categories will be established in the By-laws.



Finances:

The Friends shall be financially self-supporting. Operating funds may be generated from: membership fees; fundraising activities; special grants (i.e. governmental or foundation) as may become available. Funds raised for capital and special projects shall be kept in separate accounts by the City of Hamilton.

The fiscal year shall be January 1 to December 31. An annual financial statement shall be submitted to the next Annual General Meeting for approval and, once approved, to the HHBd.



Appendix "C" as referred to in  
Section 9 of the FIFTEENTH Report  
of the Parks and Recreation  
Committee for 1992

## GROUND USE POLICY WHITEHERN

### PREAMBLE

#### National Heritage Significance

In 1991 Whitehern, including its garden, was recognized nationally as a site of historic and architectural significance by the National Historic Sites and Monuments Board.
---

Whitehern is an historic site/museum owned and operated by the Corporation of the City of Hamilton.

The site serves citizens and visitors of Hamilton by collecting, preserving, researching, exhibiting and interpreting artifacts and documentation relating to the McQuesten family. Originally the residence of three generations of the McQuesten family from 1852-1968, the site was opened as a museum in 1971. The house, stable and garden, as well as personal documents, possessions, and furnishings have been kept intact, allowing an accurate presentation of family life as it evolved over a century.

The grounds of Whitehern (0.8 acres) are an integral part of the Historic Site. The garden evolved over three generations of McQuesten residency, and the present lay-out was developed by landscape architect H.B. Dunington-Grubb for the last generation in the 1930's. It includes authentic structures, decorative artifacts and original plant material which are preserved, researched, maintained and interpreted as per the terms of the McQuesten bequest.

### SITE CHRONOLOGY

In 1848, the two storey stone dwelling (later known as Whitehern) was built in St. George's Ward, Maiden Lane (later known as Jackson Street West), on the one acre property at lots 83, 84, 85, 100, 101, and 102, for R. O. Duggan.

In 1852, Dr. Calvin McQuesten purchased the property from R.O. Duggan and used it as his residence.

After the death of Dr. Calvin in 1885, the property was bequeathed to Dr. Calvin's son Isaac McQuesten.

Mary McQuesten inherited the house following the death of her husband Isaac in 1888.

In the 1920's, 50 feet of the south property was sold to allow for the T.H. & B railway overpass. The property size was thus diminished to 0.8 acre.



The surviving children of Mary and Isaac McQuesten, Calvin, Mary, Hilda, Thomas and Margaret, inherited the house following the death of their mother Mary McQuesten in 1934.

In 1959, Mary, Hilda and Rev. Calvin McQuesten made an agreement to leave their property "Whitehern" in trust to the Board of Park Management of the City of Hamilton which was to take effect after their deaths as there were no other direct heirs. The agreement stipulated that the grounds and house be preserved intact and be opened to the public "as a period piece" and as a memorial to their grandfather, Dr. Calvin McQuesten, and brother, Thomas Baker McQuesten, who were notable for their many contributions to public service.

Rev. Calvin McQuesten, the last surviving member of the family, died on August 2, 1968 and Whitehern became the property of the Board of Park Management.

1968-1971, Whitehern was restored by the City of Hamilton at a cost of \$79,000.00.

August 14, 1971, Whitehern was opened to the public as an historic site.

#### RECOGNITION

Thomas Baker McQuesten, responsible for the establishment of the Royal Botanical Gardens and numerous City of Hamilton parks, hired one of Canada's most prominent landscape architects, H. B. Dunington-Grubb, to make the most recent modifications to Whitehern's gardens in the 1930's.

H. B. Dunington-Grubb's designs, including the Rainbow bridge gardens and Oakes Garden Theatre (Niagara Falls), Sunken Gardens (McMaster University), Juvenile Court and University Avenue (Toronto), are important landmarks in Canada's Gardening Heritage. Although, the designs of H. B. Dunington-Grubb are kept within the archives of the University of Guelph, his Whitehern project, featuring a sunken garden, summer house and flagstone paths, is among the best preserved examples of his work.

Whitehern is a documented site, preserved intact complete with original furnishings and documentation. The gardens of Whitehern are fundamental to the historical integrity and understanding of the site. As with the house and furnishings, the evolution of the gardens, from utilitarian uses (fruit and vegetable garden, laundry yard, chicken coop, stable and carriage house) to recreational purposes (decorative ornaments, decorative flower beds, ornamental shrubs and trees), is documented with photographs, letters and garden journals kept by the three generations of McQuestens from the mid-Victorian to the post World War II era. Preservation of the gardens and documentation, as per the McQuesten agreement, allows a unique record of the changing domestic lifestyle as Victorian families entered the twentieth century.



### **GROUNDS USE POLICY - WHITEHERN**

Whitehern and its surrounding gardens comprise an important heritage resource at the local, provincial and national levels. Therefore the conservation of this resource must be at the forefront of any decision about appropriate use of the site. As well, the historic public role of the site as a place for passive recreational and educational pursuits, and quiet enjoyment by museum and garden visitors must be respected.

- The gardens are available to museum patrons as an essential part of the Whitehern tour. They provide the setting for a variety of tours, programmes and special events which are organized as a part of the museum's scheduled programme and serve to enhance the understanding and appreciation of the site. Due to the size of the grounds and their overall historic sensitivity all programmes and special events must be organized in conjunction with the programmes of the museum. Maximum number at any given time should not exceed 200.

The grounds are also available for passive recreational activities by non-museum patrons, such as walking and sitting, with the provision that such activities do not threaten the heritage characteristics of the site, do not interfere with museum programming, and do not infringe on the quiet enjoyment of the site by other visitors.

All visitors to the grounds must observe the laws, regulations and requirements for the use of City parks, including all by-laws.

- Digging without permission is forbidden through by-laws relating to City parks. As a result of the historic and archaeological significance of Whitehern no digging, peg or stake driving, or soil disturbance is permitted unless permission has been granted and archaeological concerns have been mitigated by curatorial staff of the Cultural division of the Department of Culture and Recreation.
- Parking is not available at the Whitehern site. Public metered parking, available at City Hall, may be used.

### **STILL PHOTOGRAPHY AND FILMING**

Still photography or filming for non-commercial purposes is permitted provided that it does not infringe on the enjoyment of the site by other visitors.

Wedding photography requires the procurement of a permit. An application for a permit must be submitted to the Department of Culture and Recreation 30 days in advance, in order for a permit to be issued. Furthermore, the following regulations, in addition to those mentioned above, are applicable to wedding photography:



1992 August 25

- Wedding photography is permitted on the northwest lawn and south garden areas. Wedding groups are not permitted to congregate on pathways, at museum entrances and the front steps.
- Use of confetti, rice or similar material is prohibited.
- Set-up is limited to camera and tripod. Chairs, tables, extension cords and other equipment or props are not allowed.
- The number in wedding groups is not to exceed 20 people.

Revised  
July 27, 1992



1992 August 25

In 1987, James Haaf a student of the University of Guelph Horticulture Programme, completed a historical study of the Whitehern Gardens as they evolved from 1852-1940.

The gardens, attracting numerous horticulturalists, students of landscape architecture, and general visitors, are the focus of Garden Tour programmes annually.

The gardens as well as the house have been designated in 1977 under the Ontario Heritage Act, and have been plaqued by the Archaeological and Historic Sites Board, Department of Public Records and Archives of Ontario in 1971, and, notified of receiving a plaque of national significance by the Historic Sites and Monuments Board of Canada in 1991. The latter expressed the site as "set in a rare walled garden and enriched by its interior decoration, Whitehern is a remarkably intact example of mid-nineteenth century residential architecture."



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTEENTH** Report for 1992 and respectfully recommends:

1.
  - (a) That approval be given to enter into a contract with The Ontario Construction Company Limited for construction of shoreline protection works at Pier 4 Park. The contract amount will be \$348,766.25.
  - (b) That the amount of \$348,766.25 be funded from Account No. CF419154007 for Pier 4 Park.
  - (c) That a contract satisfactory to the City Solicitor be entered into between the City and The Ontario Construction Company Limited of Niagara-on-the Lake.
  - (d) That the Mayor and the City Clerk execute the contract on behalf of the City.
2.
  - (a) That an amount of \$588,000. be considered in the 1993-1997 Capital Budget in 1993 for minor upgrades for Bernie Arbour Stadium to accommodate Double "A" baseball in Hamilton on an interim basis.
  - (b) The City of Hamilton undertake a site/market analysis for a major sport complex.
  - (c) That the Parks and Recreation Committee establish a sub-committee to direct the major sport complex site/market analysis study.
  - (d) That all possible sites in the City of Hamilton be considered excluding Bernie Arbour Stadium, Brian Timmis Stadium and T. B. McQuesten Park but that the initial focus be on a possible waterfront industrial site as described in Alderman Cooke's memo of 1992 August 25 on the subject attached hereto as Appendix "A".



1992 August 25

**Respectfully Submitted,**

**ALDERMAN T. JACKSON, CHAIRPERSON  
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson, Secretary**

**1992 August 25**



1992 August 25



Appendix "A" as referred to in  
Section 2 of the SIXTEENTH Report  
of the Parks and Recreation  
Committee for 1992

## MEMORANDUM

TO: Members of City Council

FROM: Alderman Terry Cooke, Ward 1

DATE: August 25, 1992

SUBJECT: LONG TERM PLANNING FOR MAJOR SPORTS FACILITIES

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The renewed push to consider in isolation a request to fund a "AA" baseball stadium for the Redbirds points out yet again our lack of a comprehensive long range plan for major sports facilities in Hamilton.

I believe that it would be wise to begin the process of documenting the need for a new multi-purpose stadium/recreational facility/convention centre to meet the requirements of the Tiger Cats, Redbirds, Steelers and others into the next decade and beyond.

By creating such a long range plan, we could accomplish a number of things. First and most importantly, we could put an end to the uncertainty of lurching from one request to another in addressing the demands of our professional franchises. Second, it would allow us time to plan financially outside of the five year Capital Budget thereby not displacing other projects which we have already committed to. Third, it would provide time for negotiations with the Provincial and Federal Governments for cost-sharing in this venture. And finally, it would demonstrate to the professional franchises in town that we are prepared to meet their long range accommodation requirements if they continue their commitment to operating in this community.



Now a word about location. It has concerned me to hear speculation about the Region supporting a new suburban sports stadium to accommodate our sports franchises. I believe that if we plan it right, such a development would not only accommodate sports/convention events, but could also serve as a catalyst for the revitalization of an entire area of our City.

The logical place to start in examining potential sites would be in the North End on an under-utilized industrial/waterfront location. This would have numerous advantages for our community. A waterfront vista, future perimeter industrial road access, relatively cheap land costs and the potential to spur adjacent development in an area of town which could use a boost.

The example of a scaled-down version of Camden Yards in Baltimore could serve as a model for us. They have constructed an old style, relatively low cost ballpark in the docklands area of their City. It incorporates the best of old-style stadium (seating close to the field/natural grass playing surface, etc.) with modern amenities (corporate boxes/wheelchair accessibility, etc.). This model could, in my opinion, be modified to meet a multi-purpose need that would enhance our North End/Waterfront in particular, and our City in general, well into the next century.

I believe that the time to start this planning process is now. I would be interested in serving on a sub-committee of the Parks and Recreation Committee which could include politicians/staff and representatives of sports franchises and others to begin examining the possibilities.

I appreciate your consideration of this idea.



## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1992 and respectfully recommends:

1. That Section 13 of the First Report for 1990 of the Planning and Development Committee approved by City Council on January 30, 1990, respecting 820 Rymal Road East, be modified as follows:

(a) That a new Clause (ii) be added as follows:

"(ii) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the westerly and southerly lot lines; and,
- (ii) That a minimum 1.2 m to 2.0 m high visual barrier shall be provided and maintained along the westerly and southerly lot lines."

(b) That the subsequent Clauses be renumbered accordingly.

(c) That the new Clause (v) (presently Clause (iv)) be modified by adding the following to the end:

"Further, that portion of the proposed east-west road located adjacent to and south of the subject lands be deleted and designated "Single and Double Residential"".



2. A. That the City of Hamilton:

- (a) supports the concept of allowing an additional unit "as-of-right" in residential districts provided the following standards are met:
  - (i) the additional unit shall be restricted to single-family dwellings only;
  - (ii) the minimum unit size shall be 65 m<sup>2</sup>;
  - (iii) the additional unit shall not be permitted in a cellar;
  - (iv) the parking standards are: 1 space per unit up to 2 units; 1.33 space for each unit for 3 units and 1.25 spaces per unit for four or more units;
  - (v) the use of tandem parking and on-street parking not be considered as means of meeting the parking standards; and,
  - (vi) the minimum ceiling height should be 2.1 m
- (b) requests the Province to clarify the terms "unit", and "street allowance";
- (c) requests the Province to clarify, that if units are permitted below grade, what standards (i.e. Health By-law, Residential Rental Standards By-law) will be used to determine which units are acceptable;
- (d) requests the Province to clarify the legislation with respect to parking so as to ensure the City has the right to continue implementing roadway parking restrictions notwithstanding it may restrict additional units from being provided; to continue to allow the City to define the size of a parking space; and to allow the City to determine the appropriate on-street parking standard;
- (e) supports the additional powers of entry for municipal officials;
- (f) requests the Province to explore all legal (i.e. legal agreements) and planning (i.e. setbacks, etc.) implications of "garden suites" (granny flats) before introducing legislation to permit them as temporary uses;



- (g) does not object to the clarification of the legislation dealing with unrelated people forming a single housekeeping unit provided it does not affect the City's ability to regulate such uses as lodging houses, rooming houses, boarding houses, group homes, residential and short term care facilities;
  - (h) reaffirms its 1991 June 25 request to the Province;
    - (i) to fund a Pilot project in Hamilton to deal with the issues associated with residential conversions on a neighbourhood basis;
    - (ii) to increase the allocation of non-profit and coop units to the City of Hamilton;
    - (iii) to reassess all converted units in Hamilton, legal and illegal, in order that appropriate taxes for these dwellings can be collected; and,
    - (iv) to amend the Planning Act to clearly define "use" to include vacant units
- B. That the City Clerk be requested to notify the Ministers of Housing and Municipal Affairs of City Council's decision and the report dealing with the proposed Provincial regulations for Apartments in Houses be forwarded to the Province for information.
3. That the Planning Department staff be directed to proceed with the recommendations to implement the Housing Intensification Strategy, including the holding of public meetings under the Planning Act.
  4. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 1680 Upper Ottawa Street, Hamilton from the construction covenants to the City as contained in Instrument Numbers 195566 L.T. and 195567 L.T., registered on 1987 March 3.
  5. That an Expropriation By-law to expropriate, for municipal purposes, vacant land described as Part of Lots 11 and 12, Registered Plan 547, designated as Part 5; Part of Lot 12, Registered Plan 547, designated as Part 2; and Part of Reserve, Registered Plan 547, designated as Part 4; all on Plan 62R-10273, be enacted by Council.



6.
  - (a) That the City of Hamilton accept the sum of forty thousand one hundred and eighty dollars (\$40,180) as cash payment in lieu of the 5% land dedication in connection with Claudette Gardens - Phase 1, Hamilton, this being the cash payment required under Section 50 of the Planning Act.
  - (b) The lands of Claudette Gardens - Phase 1 are located on the west side of Garth Street north of Rymal Road West in the Falkirk East Planning Neighbourhood.
7. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of seven hundred and forty six (\$746) be approved by Helen Meldrum, 153 Bell Avenue, Hamilton. The interest rate will be 8 percent amortized over 5 years.
8. That the Mayor be authorized and directed to express to the Minister of Culture and Communications the concerns of the City of Hamilton about recent changes in the Designated Property Grant Programme approval process. The programme is highly valued in the Heritage Community. Previously, grant commitments were made by the municipality as soon as applications were completed. Now, applications must wait through the summer for late September approval by the Ministry, thus jeopardizing this normally seasonal exterior work. Also, funding levels have dropped.
9. That the Building Department, Loans Division, be directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of three thousand dollars (\$3,000) for Mr. Kopriva, owner of 233-235 Locke Street North.
10. That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of one thousand, one hundred and fifty dollars (\$1,150) for Ms. H. Kirkpatrick and Mr. T. Baker, owners of 256-258 MacNab Street North.
11. That the Building Department, Loans Division, be directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of one thousand, eight hundred and thirty five dollars (\$1,835) for Mr. Stacy, owner of 33 Undermount Avenue.
12.
  - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, four hundred and eight dollars (\$2,408) for Mr. Masniak, owner of 188 Markland Street.



- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Mr. Masniak, owner of 188 Markland Street, in the amount of two thousand, four hundred and seven (\$2,407) at 6% interest amortized over a ten year period.
- 13. (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of three thousand (\$3,000) for Mr. and Mrs. Rigby, owners of 74 George Street.
- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Mr. and Mrs. Rigby, owners of 74 George Street, in the amount of three thousand, three hundred and twelve dollars (\$3,312) at 6% interest amortized over a ten year period.
- 14. (a) That the Building Department, Loans Division, be directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of five hundred and forty-nine dollars (\$549) for Mrs. Janet Snelgrove, owner of 107 George Street.
- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Mrs. Janet Snelgrove, owner of 107 George Street, in the amount of five hundred and forty-eight dollars (\$548) at 6% interest amortized over a ten year period. The total Community Trust Fund loan is now \$6,299.
- 15. (a) That the Building Department, Loans Division, be directed to apply to the Province of Ontario on behalf of the owners Mr. and Mrs. J. Miller, 988 Concession Street, for a Designated Property Grant in the amount of six thousand dollars (\$6,000) for the years 1992 and 1993. Note, normally the maximum grant in any one year is three thousand dollars (\$3,000) but the Province has agreed to commit two years of grant because of the nature of the work.
- (b) That the Building Department, Loans Division, be directed to process a Heritage Trust Fund Loan to Mr. and Mrs. J. Miller, 988 Concession Street in the amount of fifteen thousand dollars (\$15,000) at 6% interest amortized over 10 years.



16. That the Planning and Development Committee and City Council apply to the Province of Ontario for a Designated Property Grant for 221 Ferguson Avenue South on behalf of the owner, I. Dreimanis, in the amount of four hundred and fifty dollars (\$450).
17. That the Building Commissioner be authorized to issue demolition permits to the following properties:
  - (a) 1143 Upper James Street
  - (b) 480 Rymal Road West
  - (c) 1158 Garth Street
  - (d) 1176 Garth Street
  - (e) 1112 Upper Wentworth Street
  - (f) 1117 Upper Wentworth Street
  - (g) 1118 Upper Wentworth Street
  - (h) 1128 Upper Wentworth Street
  - (i) 1129 Upper Wentworth Street
18. That Item 17 of the Fourth Report for 1992 of the Planning and Development Committee approved by City Council on 1992 February 25th, respecting Zoning Application ZA-91-77 for the property at 55 Lancing Drive, map attached hereto as Appendix "A" be amended as follows:
  - (a) That clause (B) regarding parking provisions be deleted and replaced with the following new clause:
    - (B) That the amending By-law not be forwarded for passage by City Council until the applicant has completed the required works in accordance with DA-89-02 to the satisfaction of the Building Commissioner.
19. That Section 16 of the Sixth Report for 1990 of the Planning and Development Committee as approved by City Council at its meeting of Tuesday, 1990 March 13th, regarding the Definition of Townhouse Dwelling be amended on the following basis:
  - (a) that Subsection (f) be deleted in its entirety and the following Subsections be renumbered accordingly.
20. (a) That a by-law to remove part-lot control from the lots and blocks of land in the Edan Heights, Phase 2 plan of subdivision, 62M-705, be enacted by Council.



- (b) That following enactment of the by-law, that the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse same on the by-law.
21. A. That the City Clerk be directed to advise Hamilton-Wentworth Region that the City of Hamilton:
- (a) endorses the modifications to Official Plan Amendment No. 80 to the City's Official Plan as proposed by the Region (Appendix "B") except for Modification No. 9;
  - (b) requests that Modification No. 9 be further modified as follows:

delete Clause (ii) of Policy C.4.9 and replace with:

"ensure that, where remedial actions plans are required by the Ministry of the Environment, no development will take place until notification is received from the Ministry that the decommissioning process has been satisfactorily completed. In this regard, Council will utilize means such as Site Plan Approval, the "H" (Holding zone provisions), etc., as a means to prohibit development;"
  - (c) requests a new Modification 14 be introduced as follows:

Item 19 be modified by deleting the preamble of Subsection 5 - General Land Use Provisions and replacing it with the following:

"It is the general intent of this Official Plan that all planning and development both public and private, within the City of Hamilton will be undertaken in compliance with the policies of this Plan. However, there are exceptions, where the operation of government, associated public bodies and institutions that are permitted "as-of-right", or without locational restriction throughout the City, with the exception of lands designated Escarpment Natural Area or Escarpment Protection Area as shown on Schedule "B" as Special Policy Area "1A" and "1B" wherein such uses must be in accordance with the Permitted Uses as set out in Section A.2.9.1 and the Development Criteria of the Niagara Escarpment Plan. In addition, there are certain uses which are not acceptable within the City due to the danger they may pose to persons and/or property and therefore should be prohibited throughout the City."



- (d) the modifications and land use changes as proposed by the Hamilton Harbour Commissioners' in their letter of 1992 May 27 (Appendix "C") cannot be supported.
  - B. The City Clerk be requested to forward a copy of this report to the Region and the Ministry of Natural Resources for their information.
- 22.
- A. That City Council endorse the Official Plan policies and modifications to Schedule "B" - Special Policy Areas contained in the draft Order Made Under The Niagara Escarpment Planning and Development Act, attached hereto and marked Appendix "D";
  - B. That staff of the Local Planning Branch initiate discussions with the Niagara Escarpment Commission, the Ministry of Municipal Affairs and the Ministry of the Environment to prepare zoning by-laws that will replace the development control system administered by the Niagara Escarpment Commission for lands designated Escarpment Protection and Urban in the Niagara Escarpment Plan; and,
  - C. That the Region of Hamilton-Wentworth, the Niagara Escarpment Commission, the Minister of Municipal Affairs and the Minister of the Environment be advised of:
    - (a) City Council's endorsement of the Official Plan policies and modifications to Schedule "B" - Special Policy Areas in regard to the Niagara Escarpment Plan conformity exercise; and,
    - (b) The intent of the City of Hamilton to develop zoning by-laws to replace the development control system administered by the Niagara Escarpment Commission for lands designated Escarpment Protection and Urban in the Niagara Escarpment Plan.
- 23.
- That approval be given to Site Plan Control Application DA-92-27 to amend DA-9167 by Taba Developments Ltd., owner of the lands at the south-east corner of Upper Ottawa and Stone Church Road East for an office, industrial and commercial development subject to the following:
- (a) incorporation of the approved plans in a Site Plan Agreement, to be registered on title to indicate the condominium lines/dividing lines of property;
  - (b) approval from the Committee of Adjustment for the following variances:



- (i) a 0.0 m southerly side yard for Building "C" where a 6.0 m side yard is required;
  - (ii) a 0.0 m northerly side yard for Building "D" where a 6.0 m side yard is required;
  - (iii) a 6.0 m front yard setback for the ground sign where 11.4 m is required;
  - (iv) provision of the manoeuvring space for 9 parking spaces for Phase II (Buildings B & C) over Phase I (Buildings D and E) where it should be provided on the same lot.
- (c) provision of a right-of-way for the southerly driveway for the portion located on the adjoining lands known as 1453 Upper Ottawa Street.
24. That once a Property Standards By-Law Order to Comply (to be issued) becomes final and binding for the property known as 170-1/2 MacNab Street North, the Building Commissioner be authorized to call tenders and proceed to have the work completed to bring the subject dwelling into compliance with the City of Hamilton Property Standards By-law 74-74 as amended. Cost not to exceed twenty five thousand dollars (\$25,000).
25. That the total outstanding Ontario Home Renewal Programme loan for Mrs. D. Ebert, 103 Ivon Avenue, Hamilton, in the amount of five hundred and eighty-two dollars and nineteen cents (\$582.19) be placed on the Tax Rolls.
26. That the total outstanding Ontario Home Renewal Programme loan for Mrs. E. Barbieri, 83 Simcoe Street East, Hamilton, in the amount of two thousand and twenty four dollars and eighty one cents (\$2,024.81) be placed on the Tax Rolls.
27. (a) That the application of the Hamilton-Halton Builders' Association for a reduction of permit fees prescribed under By-law 85-86 for the N.E.A.T. house at 2 Westlawn Drive be approved.
- (b) That the City Solicitor be directed to prepare an amendment to By-law 85-86 exempting the property at 2 Westlawn Drive from payment of permit fees, as prescribed, under Section 16 of the By-law.



28. That approval be given to Zoning Application 92-29, The Hamilton Society for the Prevention of Cruelty to Animals, prospective owner, for a change in zoning from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial) District, modified (Block "1"), and for a modification to the "M-13" (Prestige Industrial) District, (Block "2"), to permit an animal shelter, on property located at 235 to 265 Dartnall Road, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That Block "1" be rezoned from "M-14" (Prestige Industrial) District to "M-13" (Prestige Industrial) District;
  - (b) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 17E(1)(b) of Zoning By-law No. 6593, an animal shelter shall be permitted; and,
    - (ii) That notwithstanding Section 17E(2)(b)(ii) of Zoning By-law No. 6593, a minimum set back of 10.0 m shall be provided and maintained for every building and structure from TransCanada Pipelines right-of-way;
  - (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1280, and that the subject lands on Zoning District Map E-69E be notated S-1280;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-69E for presentation to City Council; and,
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
29. A. That approval be given to Official Plan Amendment No. 117 to redesignate lands municipally known as 1630 Upper Gage Avenue from "Residential" to "Commercial", and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to Zoning Application 92-18, Shell Canada Products Limited, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District modified (Block "1"), and from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District modified (Block "2"), to permit a car wash or lube shop on



property located at 1630 Upper Gage Avenue, as shown on the attached map marked as Appendix "F", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (c) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:
  - (1) That notwithstanding Section 14A(1) of By-law No. 6593, only the following commercial uses shall be permitted:
    - (a) a mechanical car wash; or,
    - (b) a lubrication services for motor vehicles.
  - (2) That a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the northerly and westerly lot lines;
  - (3) That a minimum 1.2 m to 2.0 m high visual barrier shall be provided and maintained along the northerly and westerly lot lines.
- (d) That Clauses (b) and (c) of Section 3 of By-law No. 91-128 be amended by deleting the words "northerly and" and by changing the word "lines" to "line" in the third line thereof;
- (e) That the amending By-law be added to Section 19B of Zoning By-law 6593, as Schedule S-1284, and that the subject lands on Zoning District Map E-38D be notated S-1284;
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council;



- (g) That the proposed change in zoning will be in conformity with the Official Plan for Hamilton Planning Area upon approval of Official Plan Amendment No. 117 by the Regional Municipality of Hamilton-Wentworth; and,
  - (h) That the Eleanor Neighbourhood Plan be amended to redesignate the subject lands from "Attached Housing" to "Commercial".
30. A. That approval be given to Official Plan Amendment No. 116 to redesignate lands from "Residential" to "Commercial" for lands located at the south-east corner of Upper Wentworth Street and Stone Church Road East, and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to amended Zoning Application 88-129, T. Valeri Construction Limited, owner, for a change in zoning from "E-2" (Multiple Dwellings) District to "G-4" (Designed Neighbourhood Shopping Area) District modified, to permit a shopping centre, for property located at the south-east corner of Stone Church Road East and Upper Wentworth Street, as shown on the attached map marked as Appendix "G", on the following basis:
- (a) That the "G-4" (Designed Neighbourhood Shopping Area) District regulations as set out under Section 13D of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 13D(1)B of By-law No. 6593, only the following commercial uses shall be permitted:
      - (1) retail grocery store;
      - (2) retail drug store;
      - (3) retail stationer;
      - (4) retail bakery or confectionary store;
      - (5) barbershop, hairdressing establishment or beauty parlour;
      - (6) retail hardware store;
      - (7) shoe repair shop;



- (8) collecting and distributing station for a laundry or dry cleaner;
  - (9) retail dry goods store or a retail women's or men's clothing store;
  - (10) bank;
  - (11) offices for medical or dental practitioners;
  - (12) offices for use by insurance agents, lawyers, auditors or realtors;
  - (13) a photographer's studio except a motion picture studio;
  - (14) **DELETED.**
  - (15) signs in accordance with Clause (xvii) of Section 13D(1)B.
- (ii) That Section 13D(5) of By-law No. 6593 shall not apply;
  - (iii) That a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the lot lines adjacent to the residential districts to the east and south; and,
  - (iv) That a minimum 1.2 m to 2.0 m high visual barrier shall be provided and maintained along the lot lines adjacent to the residential districts to the east and south.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-1283, and that the subject lands on Zoning District Map E-27C be notated S-1283;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C for presentation to City Council;
  - (d) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 116 by the Regional Municipality of Hamilton-Wentworth; and,



- (e) That the Butler Neighbourhood Plan be amended to redesignate the subject lands from "Medium Density Apartments" to "Commercial".
  - C. That any Site Plan submitted for the subject lands be reviewed with the area residents prior to approval.
31. That approval be given to Option 2 to permit limited residential, commercial, public and institutional uses within the existing buildings, as detailed in the Upper James Street Land Use Review (Appendix "H") (distributed to Council under separate cover), for the west side of Upper James Street between Wembley and South Bend Roads (674 to 712 Upper James Street).
32. A. That the following By-laws be repealed in their entirety:
- (a) By-law No. 87-68 (Official Plan Amendment No. 49 ) - 678 Upper James Street
  - (b) By-law No. 87-221 (ZA 86-51) - 678 Upper James Street
  - (c) By-law No. 87-222 (Site Plan Control) - 678 Upper James Street
  - (d) By-law No. 90-304 (Official Plan Amendment No. 93 ) - 694-696 Upper James Street
  - (e) By-law No. 90-312 (ZA 88-124) - 694-696 Upper James Street
  - (f) By-law No. 90-313 (Site Plan Control) - 694-696 Upper James Street
  - (g) By-law No. 90- 305 (Official Plan Amendment No. 94) - 710 Upper James Street
  - (h) By-law No. 90-314 (ZA 88-124) - 712 Upper James Street
  - (i) By-law No. 90-315 (Site Plan Control) - 712 Upper James Street
- B. That approval be given to Official Plan Amendment No. 115 for a redesignation from Residential to Commercial on Schedule "A" and the creation of a "Special Policy Area" on Schedule "B", for the lands on the west side of Upper James Street between Wembley and South Bend Roads (674 to 712 Upper James Street), as shown on the attached map marked as Appendix "I" and the City Solicitor be directed to prepare a By-law for submission to the Regional Municipality of Hamilton-Wentworth
- C. That approval be given to City Initiative 92-D, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, to permit limited residential, commercial, public and institutional uses within the existing buildings, for properties located on the west side of Upper James Street between Wembley and South Bend Roads (676 to 712 Upper James Street), as shown on the attached map marked as Appendix "J", on the following basis:



- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act R.S.O. to the lands located on the west side of Upper James Street between Wembley and South Bend Roads (Nos. 676 to 712 Upper James Street), by introducing the holding symbol 'H' as a suffix to the proposed Zoning District which will prohibit redevelopment of the subject lands until the applicant/owner has applied for and received approval of a Site Plan.
- (b) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "H"- 'H' (Community Shopping and Commercial, etc. - Holding) District;
- (c) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 14(1) of Zoning By-law No. 6593, only the following uses shall be permitted within the buildings existing at the date of the passing of this by-law:

Residential

- (1) single-family dwelling;
- (2) one dwelling unit in the same building with a permitted commercial use.

Commercial

- (3) business or professional person's offices;
- (4) photographer's or artist's studio but not including a motion picture studio;
- (5) barbershop, hairdressing establishment, beauty parlour, physical fitness studio, reducing salon, shoeshine parlour or other like establishment;
- (6) retail store selling:
  - (i) wearing apparel and accessories;



- (ii) furniture, home furnishings, appliances;
  - (iii) antiques;
  - (iv) books and stationary;
  - (v) tobacco, gifts, novelties, souvenirs, newspapers and magazines;
  - (vi) cameras and photographic supplies;
  - (vii) jewellery;
  - (viii) flowers, plants and like goods sold or offered for sale by a florist;
  - (ix) sale and dispensing of optical goods;
  - (x) computer sales and service; and,
  - (xi) musical instruments sales and service;
- (7) photocopy service;
  - (8) retail drug store;
  - (9) food store;
  - (10) retail variety store;
  - (11) showroom or sample room including such a room to deal with bona fide antiques but not including a second-hand shop, pawnbroker, shop for the sale of plumbing supplies or fixtures, or a pet shop; and,
  - (12) commercial lending library or art gallery.

#### Institutional

- (13) day nursery.

#### Public

- (14) library; and,
- (15) art gallery.

#### Accessory Use

- (16) a wall, ground or projecting sign that complies with the following requirements:



- (i) no sign shall exceed 1.2 metres in vertical dimension or 2.2 square metres in area; and,
  - (ii) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- (ii) No extensions or enlargements of the buildings existing at the date of the passing of the By-law shall be permitted.
- (iii) Notwithstanding Sections 14(2) and (3) of Zoning By-law No. 6593, the following regulations shall apply to the development of lots vacant at the date of the passing of this by-law:
  - (1) no building shall exceed 2.0 storeys in height;
  - (2) a front yard depth of at least 4.5 meters;
  - (3) a side yard along each side lot line of a width of at least 1.2 metres; and;
  - (4) a rear yard of a depth of at least 7.5 metres.
- (iv) In the event that the existing building is destroyed or demolished, it may be replaced only with a building with the same external dimensions and floor area as the building which it replaces and subject to the uses as set out in iiia) above and the regulations set out in iiic) above.
- (v) A visual barrier not less than 1.2 meters high and not more than 2.0 meters high; and a minimum 1.5 meter wide landscaped planting strip shall be provided and maintained along the entire westerly lot line.
- (vi) All lighting facilities at the rear of the properties shall be installed and maintained so as to ensure that the light is directed away from all adjacent residential uses.
- (vii) Notwithstanding Section 18A(1) of Zoning By-law No. 6593, the following parking requirements shall be provided and maintained:



- (1) One space for each dwelling unit;
  - (2) One space for every 19 m<sup>2</sup> of floor area for medical offices (including doctor, dentist, osteopath, drugless practitioner);
  - (3) One space for every 6 children for day nurseries; and,
  - (4) One space for every 31 m<sup>2</sup> of floor area for all other permitted uses.
  - (5) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule A, and the subject lands on Zoning District Map W-8 be notated S- 1281;
  - (6) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-8 for presentation to City Council; and,
  - (7) That the proposed zoning change will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 115 by the Regional Municipality of Hamilton-Wentworth.
- D. That Site Plan Control By-law 79-275, as amended by By-law 87-223, be amended by adding the lands on the west side of Upper James Street between Wembley and South Bend Roads (Nos. 676 to 712 Upper James Street);
- E. That the Development Guidelines contained in this Report be adopted.
33. A. That approval be given to Zoning Application 92-26, Jung Y. Mah, owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for property located at 674 Upper James Street, as shown on the attached map marked as Appendix "K", on the following basis:
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
  - (b) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593,



applicable to the subject lands, be modified to include the following variances as special requirements;

- (i) Notwithstanding Section 14 (1) of Zoning By-law No. 6593, only the following uses shall be permitted within the building existing at the date of passing of this by-law:
  - (1) Residential Uses:
    - (a) Single-family dwelling;
    - (b) One dwelling unit in the same building with a permitted commercial use.
  - (2) Commercial Use:
    - (a) Medical offices (including doctor, dentist, chiropractor, osteopath, drugless practitioner).
  - (3) Accessory Use:
    - (a) A wall, ground or projecting sign that complies with the following requirements:
      - (i) no sign shall exceed 1.2 meters in vertical dimension or 2.2 square metres in area; and,
      - (ii) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- (ii) No extensions or enlargements of the building existing at the date of the passing of the By-law shall be permitted;
- (iii) Notwithstanding Section 18A(1) of Zoning By-law No. 6593, the following parking requirements shall be provided and maintained:
  - (a) one space for each dwelling unit;
  - (b) one space for every 19 m<sup>2</sup> of floor area for medical offices (including doctor, dentist, chiropractor, osteopath, drugless practitioner);



- (iv) Sections 18A(11)(a),(b) and (12)(a) of Zoning By-law No. 6593 shall not apply;
  - (v) Notwithstanding Section 18A(8) of Zoning By-law No. 6593, one of the four parallel parking spaces located along the southerly side lot line may have dimensions not less than 2.5 metres wide and 6.3 metres long;
  - (vi) A landscaped strip not less than 1.5 metres in width shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial use;
  - (vii) A visual barrier not less than 1.2 metres in height and not greater than 2.0 metres in height shall be provided and maintained along the entire southerly and westerly lot lines where the building has been converted to a commercial use;
  - (viii) All lighting facilities at the rear of the property shall be so installed and maintained as to ensure that the light is deflected away from all adjacent residential uses;
  - (ix) In the event that the existing building is destroyed or demolished, it may be replaced only by a building having the same external dimensions as the building which it replaces and the replacement building shall not have more than two storeys plus a basement, and shall only be used for the uses set out in i) above.
  - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1282, and that the subject lands on Zoning District Map W-8 be notated S-1282;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-8 for presentation to City Council;
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That By-law No. 79-275, as amended by By-law No. 87-223 be amended by adding the subject lands to Schedule "A".



- C. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of a site plan.
  - D. That Official Plan Amendment No. 101, adopted by By-law 91-170 passed by City Council on September 24, 1991, be repealed.
  - E. That Item 20 of the 12th Report of the Planning and Development Committee as adopted by City Council at its meeting of August 27, 1991, be rescinded in its entirety.
34. A. That approval be given to Official Plan Amendment No. 114 to amend Schedule "B" to delete the area of the East Mountain Industrial-Business Park; to create a new Schedule "B-3" for the East Mountain Industrial-Business Park; to establish a new Special Policy Area 11a to be contained on Schedules "B" and "B-3"; to amend the relevant policies relating to the introduction of a new Schedule "B-3"; to amend the relevant Policies to permit offices and home improvement uses within the "M-12" and "M-13" Districts; and to rename the "East-Mountain Industrial Park" to the "East Mountain Industrial-Business Park", and the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to City Initiative 91-A to provide for a general text amendment to the "M" (Prestige Industrial) District regulations, by deleting and adding permitted uses, by amending the accessory uses, by amending the landscape and side yard requirements in the "M-11" (Prestige Industrial) District, and by amending the sign regulations, for the properties located in the East Mountain Industrial-Business Park, 408 Cumberland Avenue and 467 Charlton Avenue East, as shown on the attached maps marked as Appendix "L" and Appendix "M", on the following basis:
- (a) That Sections 17C, 17D, 17E, 17F and 17G of Zoning By-law No. 6593, be amended by deleting Table 2 - Public Uses, Table 4 - Commercial Uses and Table 5 - Industrial Uses, and substituting Appendices "N", "O" and "P" attached hereto, therefor;
  - (b) That Sections 17C, 17D, 17E, 17F and 17G of Zoning By-law No. 6593, Table 1 - Residential Uses and Table 3 - Institutional Uses be amended by deleting the SIC identification numbers;



- (c) That Sections 17C(1)(d), 17D(1)(d), 17E(1)(e), 17F(1)(d) and 17G(1)(d) be repealed in their entirety and replaced with the following:

"Accessory Uses as follows:

- (i) Any accessory building, structure or use customarily ancillary to any of the uses not prohibited.
  - (ii) A dwelling unit not exceeding 83.5 square metres of gross floor area which is necessary for maintenance staff for an industrial use.
  - (iv) Ground sign, wall sign, roof sign."
- (d) That Sections 17C(2)(h)4. and 17D(2)(h)4. be amended by adding the words "except for Lawn and Garden Centres" to the end of the clauses so that the clauses shall read as follows:

"The total area used for storage outside of a building or structure shall not exceed 5% of the lot area, except for Lawn and Garden Centres."

- (e) That Sections 17C(3)5.(i), 17D(3)5.(i), 17E(3)5.(i), 17F(3)5.(i), and 17G(3)5.(i) be deleted in their entirety and the subsequent subclauses be appropriately renumbered.

- (f) That a new Clause be added to Section 17C as follows:

"17C(3)6.(i) Notwithstanding subclause 2(2)J.(xxvi), no ground sign shall be located less than 6.0 m from the front lot line.

- (ii) Notwithstanding Clause i) above, no ground sign shall be located less than 12.0 m from the front lot line, for those lands having frontage either on Stone Church Road East or Nebo Road."

- (g) That a new Clause be added to Section 17D as follows:

"17D(3)6.(i) Notwithstanding subclause 2(2)J.(xxvi), no ground sign shall be located less than 6.0 m from the front lot line.



- (ii) Notwithstanding Clause i) above, no ground sign shall be located less than 12.0 m from the front lot line, for those lands having frontage either on Stone Church Road East or Nebo Road."
- (h) That a new Clause be added to Section 17E as follows:
  - "17E(3)6.(i) Notwithstanding subclauses 2(2)J.(xb) and 2(2)J.(xxvi), no ground sign shall be located less than 3.0 m from the front lot line.
  - (ii) Notwithstanding Clause i) above, no ground sign shall be located less than 6.0 m from the front lot line, for those lands having frontage either on Stone Church Road East or Nebo Road."
- (i) That a new Clause be added to Section 17F as follows:
  - "17F(3)6.(i) Notwithstanding subclauses 2(2)J.(xb) and 2(2)J.(xxvi), no ground sign shall be located less than 3.0 m from the front lot line.
  - (ii) Notwithstanding Clause i) above, no ground sign shall be located less than 6.0 m from the front lot line, for those lands having frontage either on Stone Church Road East or Nebo Road."
- (j) That a new Clause be added to Section 17G as follows:
  - "17G(3)6.(i) Notwithstanding subclauses 2(2)J.(xb) and 2(2)J.(xxvi), no ground sign shall be located less than 3.0 m from the front lot line.
  - (ii) Notwithstanding Clause i) above, no ground sign shall be located less than 6.0 m from the front lot line, for those lands having frontage either on Stone Church Road East or Nebo Road."
- (k) That Section 17C(2)(b)1.(ii) be amended by adding the words "Side yards having a width of not less than 10% of the width of the lot to a maximum width of 6.0 metres, except" to the beginning of the subclause so that it shall read as follows:



"Side yards having a width of not less than 10% of the width of the lot to a maximum width of 6.0 metres, except where the lot is a corner lot, a flankage side yard having a width of not less than 6.0 metres."

- (l) That Section 17C(e)1.(i) be amended by adding the words "except for the area used for access driveways," to the beginning of the subclause so that it shall read as follows:

"except for the area used for access driveways, a landscaped area in the required front yard having a depth of not less than 6.0 metres abutting the street line;"

- (m) That Section 17C(e)1.(ii) be amended by adding the words "except for the area used for access driveways;" to the end of the subclause so that it shall read as follows:

"where the lot or tract of land is a corner lot, a landscaped area in the entire required side yard abutting the street line, except for the area used for access driveways;"

- (n) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council;
- (o) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 114 by the Regional Municipality of Hamilton-Wentworth; and,
- (p) That the "Mountain Industrial Park" Plan be renamed to the "East Mountain Industrial-Business Park" Approved Plan.

35. That leave be granted to introduce the following Bills:

- (a) Bill C-85      A By-law to repeal By-law No. 88-275 to adopt Official Plan Amendment No. 62 respecting the Hamilton Beach and Confederation Park located between Lake Ontario, The City of Stoney Creek, Gray's Road, The Queen Elizabeth Way and The Burlington Canal



- (b) Bill C-86 A By-law to adopt Official Plan Amendment No. 113 respecting lands located between the Burlington Canal, Gray's Road, Lake Ontario and the Queen Elizabeth Way, within the Hamilton Beach and Confederation Park Neighbourhoods
- (c) Bill C-87 A By-law to expropriate lands that do not conform with By-laws passed under Section 34 of the Planning Act, S.O. 1983, Chapter 1
- (d) Bill C-88 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 84-34 respecting land located at Municipal No. 209 Limeridge Road East
- (e) Bill C-89 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 81-20 respecting Home Occupation
- (f) Bill C-90 A By-law to amend Zoning By-law No. 6593 to amend Zoning By-law No. 6593 respecting lands located on the south side of Rymal Road East and west of the proposed extension of Upper Wellington Street
- (g) Bill C-91 A By-law to remove land within the Edan Heights, Phase 2 Subdivision, Plan 62M-705 from Part Lot Control

Respectfully submitted,

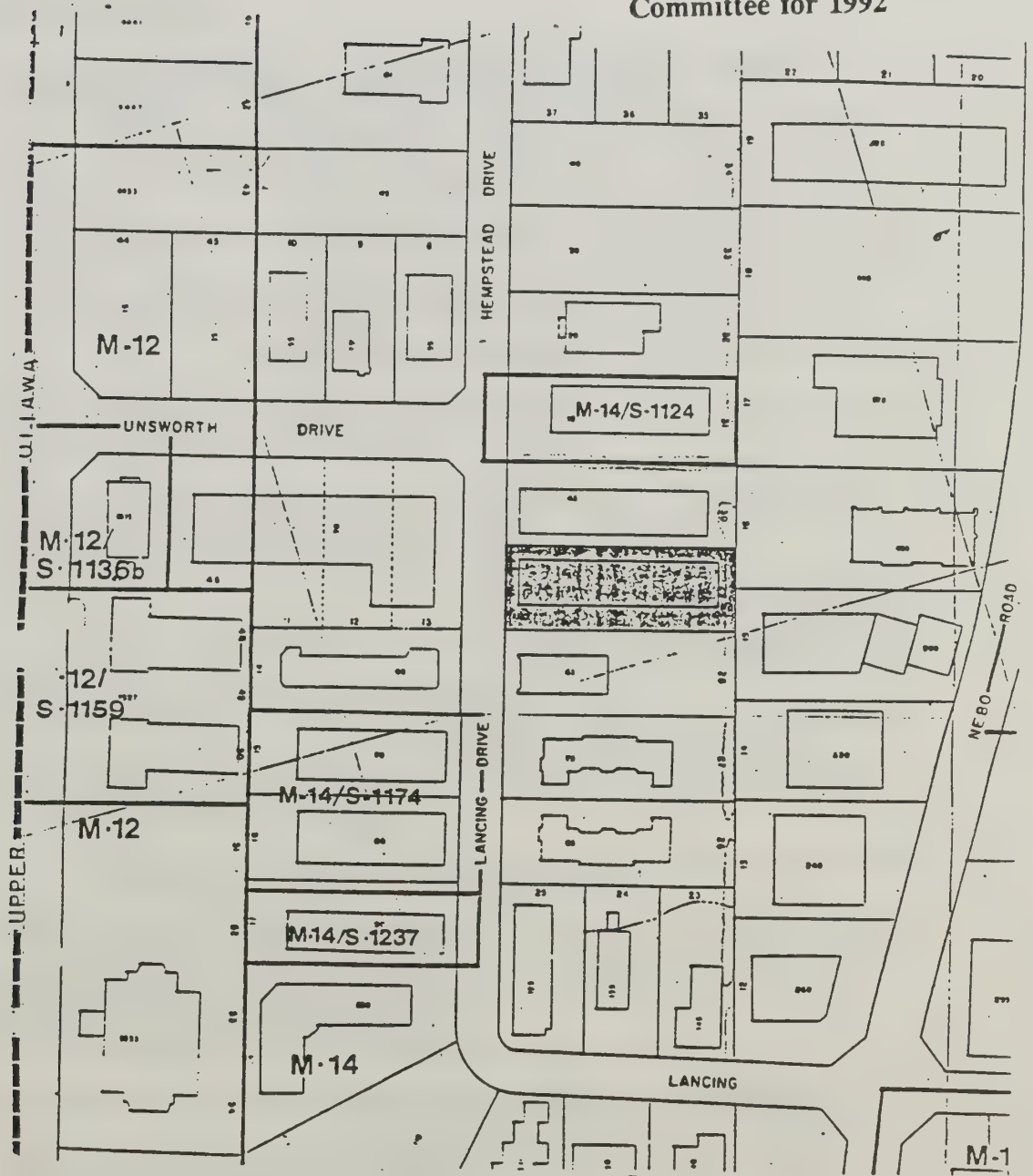
ALDERMAN D. DRURY, CHAIRPERSON  
PLANNING AND DEVELOPMENT  
COMMITTEE

Tina Agnello  
Secretary  
1992 August 19



1992 August 25

Appendix "A" as referred  
to in Section 18 of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992



Legend



Site of the Application





Appendix "B" as referred  
to in Section 21A(a) of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992

**PROPOSED MODIFICATIONS TO AMENDMENT NO. 80 TO THE CITY OF HAMILTON OFFICIAL PLAN**  
(Revised 29 May 1992 to incorporate comments received as a result of circulation)

Modification 1

Subsection A.2.7.2 - Utility Uses, be revised as follows:

- I) delete Policy A.2.7.2; and,
- II) renumber the other policies in the Subsection accordingly.

Modification 2

Section A - Land Use and Management Strategy, be revised by adding a new Subsection A.2.11 - Shipping and Navigation, to read:

**"A.2.11 - SHIPPING AND NAVIGATION**

It is the general intent of this Plan to recognize the role of the Harbour in the economy of the City and in particular, the activities of the Hamilton Harbour Commissioners in carrying out their activities of SHIPPING AND NAVIGATION.

- 2.11.1 The primary permitted uses in the areas designated on Schedule "A" as SHIPPING AND NAVIGATION will be for shipping terminals; marine freight; passenger handling facilities; related storage, vessel and barge docks; and other uses related to SHIPPING AND NAVIGATION."

Modification 3

Subsection A.3.2 - Environmentally Sensitive Areas, be revised by:

- I) adding to Policy A.3.2.3, the words "...within or adjacent to lands..." after the words "...Where development or redevelopment is proposed on lands..." to read:

**"A.3.2.3** Where development or redevelopment is proposed on lands within or adjacent to lands designated ENVIRONMENTALLY SENSITIVE AREAS, Council will consider..."

- II) adding a new clause (iv) to Policy A.3.2.3 to read:

**"iv)** In the case of Van Wagner's Marsh and Cootes Paradise, the Feasibility Study and Impact Analysis must make specific reference, in consultation with the Ministry of Natural Resources, to the criteria employed in the selection of these Provincially significant features. It must demonstrate that the development is compatible with long term maintenance of the Provincially significant features, in accordance with Provincial direction."

Modification 4

Subsection A.3.2 - Environmentally Sensitive Areas, be revised to add a new Policy A.3.2.10 to read:

**"A.3.2.10** Cootes Paradise and Van Wagner's Marsh are Provincially Significant Wetlands. In addition, Cootes Paradise is a Provincially Significant Area of Natural and Scientific Interest. Council recognizes the Provincial significance of these



features and supports their protection in the long term."

Modification 5

Section A - Land Use and Management Strategy, be revised by adding a new Subsection A.3.5 - Land Fill Constraint Areas, to read:

"Landfill Constraint Areas are those lands which are known former municipal or industrial waste disposal sites. If effective control measures have not been implemented at the site, then methane gas and leachate can migrate laterally from the perimeter of the site. Methane gas and leachate can be generated in quantities and concentrations which can pose a risk to property and human health and safety. It is therefore appropriate to include policies to ensure due caution is exercised in the development/redevelopment of affected lands. Further, the Environmental Protection Act requires that approval for any use of a waste disposal site within 25 years of its closure be obtained in writing from the Minister of the Environment.

3.5.1 Where development is proposed within 500 metres of lands shown as "Land Fill Constraint Areas" on Schedule "I":

- (a) the City, the Region and the Ministry of the Environment will be consulted regarding actions necessary to identify and mitigate any potential adverse environmental effects; and,
- (b) to facilitate a recommendation by the Ministry of the Environment to the approving authority, evidence, will be provided to the City and to the Ministry that such development, including the construction of buildings, structures, and underground utilities and services, as well as hard surface paving, can safely take place.

3.5.2 No uses, except those approved by the City, and in writing by the Minister of the Environment pursuant to the Environmental Protection Act, as amended, will be permitted on lands used for waste disposal purposes within 25 years of termination of such use."

Modification 6

Item 19 be modified to revise Policy 5.1 by adding the word "generally" after the words "...land use compatibility" to read:

"5.1 Notwithstanding SECTIONS A, B AND C of this Plan, the following uses will be permitted within all land use designations provided that land use compatibility is generally maintained and it is keeping with the intent of the development standards set out in this Plan."

Modification 7

Item 19 be modified to revise clause (iii) of Policy A 5.1 to read:

"(iii) bona fide shipping and navigation by the Hamilton Harbour Commissioners, without purporting to limit the jurisdiction of the Parliament of Canada, the Federal Government, or the Hamilton Harbour Commissioners acting within the scope of the lawful jurisdiction in respect of shipping and navigation matters in accordance with Subsection D.8."



Modification 8

Subsection B.3.2 - Public Transit, be revised by adding the words "in accordance with the policies established by the Region" after the words "... locate TRANSIT stops" to read:

- "B.3.2.8 In the preparation of Neighbourhood Plans, Council will encourage and cooperate with the Region's Transportation Department to locate TRANSIT stops in accordance with the policies established by the Region. Where possible and feasible, transit stops will be located in close proximity to passenger generators. Furthermore, Council with support, where practicable, the integration of those stops with pedestrian crosswalks."

Modification 9

Section C - Amenity and Design Strategy, be revised to add a new policy 4.9 to Subsection C.4 - Pollution, to read:

- "4.9 Council recognizes the Ministry of the Environment's concerns regarding the potential for contamination of soils and supports its efforts for the decommissioning of such sites. Accordingly, where the development/redevelopment is proposed for lands currently or previously known to be used for industrial, transportation or utility purposes Council will, in the consideration of an amendment application to this Plan and/or the Implementing zoning by-law:

- (i) require the proponents to submit to the Ministry of the Environment, in accordance with that Ministry's requirements, a professional analysis of soils on the site determining the presence, type(s) and concentration of contaminants which may be hazardous to the environment and/or to human health as a prerequisite of development or redevelopment. Determination of contaminants for which analysis will be conducted will be based upon all present and previous uses of the site.

If the analysis identifies the presence of contaminants at concentrations above background levels, the Ministry will require the proponent to formulate and implement a remedial action plan in accordance with the Ministry's Guidelines for the Decommissioning and Clean-up of Sites in Ontario, (as may be amended.) This plan will be submitted to the Ministry for approval;

- (ii) defer applications to rezoning and/or Official Plan amendments until notification is received from the Ministry that the decommissioning process has been satisfactorily completed, in cases where remedial action plans have been required; and,
- (iii) require, in accordance with Ministry requirements, the proponent to submit documentation on previous uses of the property with the application for development/redevelopment to the City for circulation to the Ministry."



Modification 10

Section D.8 - Interpretation, be revised to add a new Subsection D.8.6, as follows:

"D.8.6 Nothing in this Plan shall be interpreted to mean that an undertaking which is subject to the Environmental Assessment Act may proceed except in compliance with that Act. The City will not give any licence, permit or approval that may lead to the commencement of any such undertaking until it has been approved or exempted under the Environmental Assessment Act."

Modification 11

Schedule "A" - Land Use Concept of the Official Plan Amendment No. 80 be revised by:

- i) adding a new designation "Shipping and Navigation" to the legend; and,
- ii) redesignating Piers 10 to 14 and Piers 25 to 27 from "Utilities" to "Shipping and Navigation".

Modification 12

Introduce a new Schedule "F" - Land Fill Constraint Areas, to the Hamilton Official Plan

Modification 13

Renumber the Items of Official Plan Amendment No. 80 accordingly.



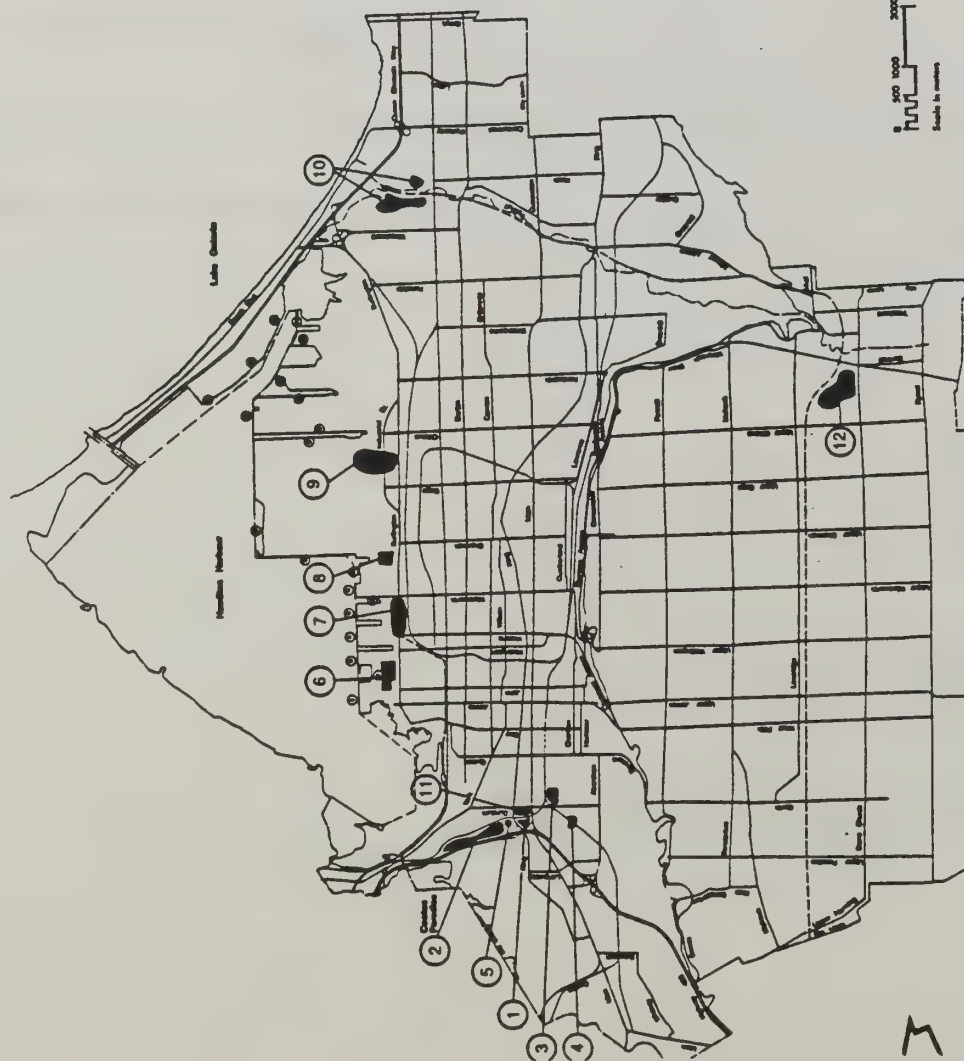
# landfill constraint areas

## legend

- ① King St/Basilica
- ② Kay Dredge Park
- ③ Hill Street Yard
- ④ Chatham/Frid
- ⑤ King/CP
- ⑥ Eastwood Park
- ⑦ Burlington/Victoria/Wentworth
- ⑧ Burlington/Birch
- ⑨ Burlington/Depew
- ⑩ Brampton/Wentworth
- ⑪ Main/Dundurn
- ⑫ Upper Ottawa Landfill Site

## schedule 1

to the official plan  
for  
the City of Hamilton  
December, 1991





1992 August 25

Appendix "C" as referred  
to in Section 21A(d) of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992

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The Hamilton  
Harbour  
Commissioners

CONFIDENTIAL & WITHOUT PREJUDICE

May 27, 1992

The Regional Municipality of Hamilton - Wentworth  
P. O. Box 910  
Hamilton, Ontario  
L8N 3V9

Attention: Mr. A. L. Georgieff, MCIP

Dear Sir,

SUBJECT: Proposed Modifications to Official Plan Amendment No. 80,  
City of Hamilton

The above referenced has been reviewed by The Hamilton Harbour Commissioners and we submit the following comments and recommended changes for your consideration.

It is the view of the Commissioners that should the recommendations as set out herein be incorporated by the Region many of the long-standing planning disputes between the City and the Commissioners will be resolved. Moreover, acceptance will also permit the Commissioners to withdraw many of the appeals that we have filed against zoning by-law amendments.

As had been previously set out to the City in previous correspondence, we had anticipated that the Major Five-Year Review to the City's Official Plan would have resulted in more than just housekeeping measures. The latest proposals for modifications to the Plan are an improvement over the initial proposal, however we feel that additional policies relating to the Port of Hamilton are warranted.

The proposal that we have provided will assist in providing the much needed certainty and predictability for long-term economic growth in the Port and the region. The attached Appendix 1 - "An Overview of the Benefits of the Port of Hamilton" - provides a basis for the incorporation of appropriate policies in the Official Plan which will in turn assist in establishing the atmosphere for growth and prosperity. Our proposal will only serve to benefit and sustain this growth, while continuing to be consistent with the judgement set down by Mr. Justice Griffiths. In this regard, we believe that Mr. Justice Griffiths was very clear in confirming the role of the Harbour Commissioners in port planning. For example, in Hamilton Harbour Commissioners v. City of Hamilton (1978), 91 D.L.R. (3d) 353, page 366, Mr. Justice Griffiths concluded:



If a port is to remain competitive, it must have sufficient flexibility to adapt its land uses to all the changing needs. If its harbour is to survive, a harbour authority must have complete and absolute control over the harbour and surrounding lands to enable it to develop to its full potential.

The following are our specific comments relating to the proposed modifications dated March 13, 1992:-

**Modification 1**

We concur.

**Modification 2**

The intent of this modification is positive, however in our view does not go far enough to fully address the importance, role and function of the Port. We propose the following:-

**\*A.2.11 - SHIPPING, NAVIGATION AND PORT DEVELOPMENT**

Council recognizes that the Port is an integral and important element to the social and economic fabric of the City and surrounding region and accordingly, it is the general intent of this Plan to recognize the role of the Port in this respect and in particular, the activities of The Hamilton Harbour Commissioners in carrying out their mandate of Shipping, Navigation and Port Development.

- 2.1.11 The primary permitted uses in the areas designated on Schedule 'A' as Shipping, Navigation and Port Development shall include, but not be limited to the following uses: uses which relate to the movement, management, safety and convenience of ships; uses involving the carriage of goods or passengers to other modes of transportation; related storage and processing; vessel and barge docks; industry and commerce related or complementary to, or necessary to the port; recreational boat facilities; and, the provision of services such as security, employment, immigration, labour, administration, technical, food, fuel, and maintenance."



We feel that like other land uses in the municipality, the Shipping, Navigation and Port Development land uses should also be protected from adjacent, potentially conflicting land uses. Accordingly, the following policy is proposed which is similar to that found in the Industrial Uses land use designation in the Official Plan:

- "2.1.12 Council shall ensure that other land uses which are proposed and which abut the areas designated on Schedule 'A' as Shipping, Navigation and Port Development are compatible with those uses set out in policy 2.1.11 and will protect the uses set out in policy 2.1.11 from other uses or other adverse impacts through the provision of adequate separation, screening, barriers, fencing and landscaping or other like measures."

We believe that the Shipping, Navigation and Port Development designation should also be afforded the same policies as that found in other designations in the Official Plan respecting the provision of public services (policy 2.2.29, for example). We therefore, propose the following policy:

- "2.1.13 In order to enhance the viability of the Shipping, Navigation and Port Development designation, Council, where feasible and deemed appropriate, shall encourage and assist in the establishment and/or maintenance of the Port through the provision of highways, arterial roads, rail and public transit services."

**Modification 3**

No comment.

**Modification 4**

No comment.

**Modification 5**

At the outset, we are very concerned and disappointed that the land use designation and associated policies of Landfill Constraint Areas have been developed and proposed as part of modifications, and not as an amendment, without any consultation with The Hamilton Harbour Commissioners or the public. From a planning perspective, we are very surprised that no public meeting or other form of public consultation is proposed.



From our discussions and meeting with staff of the Ministry of the Environment, we understand that no technical reviews or investigations have been completed to determine the age, actual extent, contents, potential impacts, if any, and even existence of the identified landfill areas. We understand that the areas were identified by university students and through conversations with Regional and City staff.

Consequently, it is our position that prior to the designation of lands and surrounding areas, detailed field studies and research must be undertaken to verify the above information.

We are also concerned that the placement of the designation on lands of the Harbour Commissioners may lead to confusion given the various levels of government involved. In this respect, we request that the 500 metre zone be illustrated only on lands not owned by The Hamilton Harbour Commissioners since the Commissioners have their own internal procedures for the assessment, evaluation and screening of developments, capital works or changes in use. This code of practice is consistent with and will follow any and all applicable federal legislation and guidelines.

In summary, detailed investigations should first be completed. If the results demonstrate a need for further action, public consultation should occur. This consultation should ensure that any official plan amendments are co-ordinated with and take into account actions and plans of The Hamilton Harbour Commissioners with respect to these lands.

#### **Modification 6**

No comment.

#### **Modification 7**

This proposed modification is of some value, however the term bona fide should not be used since it will undoubtedly only lead to confusion as to what is bona fide shipping and navigation and what is not. We propose the following:

- "iii) shipping, navigation and port development uses by The Hamilton Harbour Commissioners, without purporting to limit the jurisdiction of the Parliament of Canada, the federal government, or The Hamilton Harbour Commissioners acting within the scope of the lawful jurisdiction in respect of shipping, navigation and port development matters in accordance with subsection D.8."

#### **Modification 8**

No comment.



**Modification 9**

No comment.

**Modification 10**

- i) The new designation should read "Shipping, Navigation and Port Development";
- ii) We have previously advised the Region and the City that the "Open Space" land use designation on Pier 8 is totally inappropriate since the Commissioners have no intent of using the terminal facility for anything but a shipping terminal within the planning horizon of the official plan. The "Open Space" designation does not recognize the investment and the current viable and successful use of the site, nor does it recognize the orderly development of shipping, navigation and port development activities.
- iii) Pier 24 and the Windermere Basin area should also be redesignated to "Shipping, Navigation and Port Development" since they are either now or will soon be part of viable shipping and port development components of The Hamilton Harbour Commissioners.
- iv) Finally, if any area of the port should be designated as "Shipping, Navigation and Port Development", it should be the open waters of the harbour. The harbour itself is used only for shipping and navigation uses and is fully under the ownership and control of The Hamilton Harbour Commissioners. Moreover, the reference in policy A.2.5.1 of the Official Plan to Ontario Regulation 118/70, as amended, is no longer applicable to the placement of fill materials in the Harbour. In Regina v. Hamilton Harbour Commission, June 10, 1977, Provincial Judge Ross Bennett on page 8 determined that:

"the legislation referred to in the Information is ultra vires in the Hamilton Regional Conservation Authority (sic) and the Province of Ontario, so far as it relates to that area described in schedule five of the regulations."

**Modification 11**

✓ See comments under the heading 'Modification 5'.

**Modification 12**

No comment.



1992 August 25

6

**Other Comments**

We recommend that Policy D.8.4 be deleted and replaced with the following policy:

"D.8.4      This Plan does not prohibit or otherwise attempt to regulate the use of land or Hamilton Harbour by The Hamilton Harbour Commissioners for shipping, navigation or port development purposes, as provided herein."

We recommend that Policy D.8.5 be amended by deleting the word bona fide and adding the words "and port development uses" after the word navigation since, as previously noted, the term bona fide will only lead to confusion and interpretation problems during the implementation of the official plan.

Should you wish to meet to discuss our comments and recommendations, please contact us at your convenience.

Yours very truly,

**THE HAMILTON HARBOUR COMMISSIONERS**

  
J. BROOKFIELD  
PORT PLANNER

Enclosure

cc:    Mr. Stanley Makuch  
       Borden & Elliot  
       Barristers and Solicitors

jsb/sb/sep/82/125



1992 August 25

**Appendix "D" as referred  
to in Section 22A of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992**

**The Draft Conformity Order**

**Policy and Schedule Modifications  
to the City of Hamilton Official Plan**



1992 August 25

ORDER MADE UNDER  
THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT,  
R.S.O. 1990, CHAPTER N. 2

ORDER

Under subsection 15(2) of the Niagara Escarpment Planning and Development Act,

IT IS ORDERED THAT

The Official Plan for the City of Hamilton is amended as follows:

- 1) Amend Subsection A.2.3 - Industrial Uses by adding the following new clause:

"A.2.3.38 Notwithstanding the foregoing, Industrial Uses are not permitted on lands designated Escarpment Natural Area and Escarpment Protection Area in the Niagara Escarpment Plan, as identified by Special Policy Area "1a" and "1b" on Schedule "B" - Special Policy Areas.

Within this area, existing industrial uses are recognized. Minor expansions, as well as changes in the use and replacements, may be permitted where it can be demonstrated that the objectives of the applicable Niagara Escarpment Plan designation are met."
- 2) Amend Subsection A.2.4 - Open Space by adding the following additional paragraph to the end of Clause A.2.4.2:

"Notwithstanding the foregoing, limited commercial uses which are ancillary to and support the primary OPEN SPACE use are not permitted on lands designated OPEN SPACE on Schedule "A" which are designated Escarpment Natural Area and Escarpment Protection Area in the Niagara Escarpment Plan, as identified by Special Policy Area "1a" and "1b" on Schedule "B" - Special Policy Areas."
- 3) Amend Subsection A.2.6 - Major Institutional Uses by adding the following new clause:

"A.2.6.6 Notwithstanding Policy A.2.6.1, only small-scale institutional uses are permitted on lands designated INSTITUTIONAL on Schedule "A" which are



designated Escarpment Natural Area and Escarpment Protection Area in the Niagara Escarpment Plan, as identified by Special Policy Area "1a" and "1b" on Schedule "B" - Special Policy Areas. In this context, "small-scale" means a building having a floor area of not more than 460 m<sup>2</sup> (5,000 square feet)."

- 4) Amend Subsection A.2.7 - Utility Uses by adding the following new clause:

"A.2.7.6 Notwithstanding the foregoing, within the Escarpment Natural Area, as identified by Special Policy Area "1a" on Schedule "B" - Special Policy Areas, only essential utility facilities are permitted. Within the Niagara Escarpment Plan Area, "essential" means that which is deemed necessary to the public interest after all alternatives have been considered."

- 5) Amend Subsection A.2.9.1 - Niagara Escarpment by deleting the entire subsection and replacing it with the following:

*"It is the intent of this Plan to preserve the valuable attributes of the NIAGARA ESCARPMENT throughout the City, to recognize the potential of so doing through the actions of the NIAGARA ESCARPMENT Commission, and to conform with the policies of the NIAGARA ESCARPMENT Plan."*

A.2.9.1.1 The City of Hamilton Official Plan has been brought into conformity with the Niagara Escarpment Plan, as approved by Provincial Cabinet in June, 1985 and subsequent Amendments approved prior to January, 1992. In the event of conflict between this Plan and any policies of the Niagara Escarpment Plan, the more restrictive policies will prevail.

A.2.9.1.2 The lands shown on Schedule "B" as SPECIAL POLICY AREA 1 are located within the Niagara Escarpment Plan. To implement the Niagara Escarpment Plan, SPECIAL POLICY AREA 1 is subdivided, as shown on Schedule "B", into Special Policy Areas "1a", "1b" and "1c".

The outer boundary of the area covered by the Niagara Escarpment Plan is fixed and inflexible, and can be changed only by an Amendment to the Niagara Escarpment Plan. The internal boundaries between designations within the Niagara Escarpment Plan, however, are less definite except where they



are formed by such facilities as roads, railways and electrical transmission lines. The exact delineation of designation boundaries on specific sites will be done by the implementing body through the application of the designation criteria contained in the Niagara Escarpment Plan utilizing the most detailed or up-to-date information available and site inspections. Such designation boundary interpretations will not require amendments to the Niagara Escarpment Plan."

A.2.9.1.3 The following policies apply to the areas shown on Schedule "B" - Special Policy Areas as Special Policy Areas "1a", "1b" and "1c":

i) Special Policy Area "1a" - Escarpment Natural Area - is based on maintaining the most natural Escarpment features, stream valleys, wetlands, related significant natural areas as well as maintaining and enhancing the landscape quality of Escarpment features. Compatible recreation and conservation activities will be encouraged. Accordingly, the permitted uses will include:

- existing uses;
- non-intensive recreation uses relating to nature viewing and trail activities (excluding the use of trail bikes or all-terrain vehicles);
- forest, wildlife and fisheries management;
- archaeological activities;
- essential transportation and utility facilities;
- essential watershed management and flood and erosion control projects;
- accessory buildings, structures and facilities (e.g., garage) to support the permitted uses as well as site modifications required to accommodate them; and,
- uses permitted in approved park master or management plans.

New lots may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body.



- ii) Special Policy Area "1b" - Escarpment Protection Area - encompasses Escarpment features that have been significantly modified by land use activities such as agriculture or residential development, land needed to buffer prominent Escarpment Natural Areas, and natural areas of regional significance. In addition, the Escarpment Protection Area policies are directed at maintaining the remaining natural features and the open, rural landscape character of the Escarpment and lands in its vicinity. Agriculture, forestry and recreation will be encouraged. Accordingly, the permitted uses will include:

- existing uses;
- recreational uses which are oriented to the land rather than requiring the building of major structures;
- forest, wildlife and fisheries management;
- archaeological activities;
- transportation and utility facilities;
- watershed management and flood and erosion control projects; and,
- accessory buildings, structures and facilities (e.g., garage) to support the permitted uses as well as site modifications required to accommodate them.

New lots may be created for the purpose of correcting conveyances, enlarging existing lots, or through acquisition by a public body (provided no new building lot is created).

- iii) Special Policy Area "1c" - Urban Area - is based on minimizing the impact and further encroachment of urban growth on the Escarpment environment. Accordingly, the following development objectives are paramount:

- a) All development will be of an urban design compatible with the visual and natural environment of the Escarpment. Where appropriate, provision for



adequate setbacks and screening should be required to minimize the visual impact of urban development on the Escarpment landscape.

- b) New development will not encroach into the Escarpment Natural or Escarpment Protection Areas.
- c) New lots will not be created to include the Escarpment Natural or Escarpment Protection Areas.
- d) Lots will not be enlarged to extend into the Escarpment Natural or Escarpment Protection Areas in order to provide for more development.
- e) New lots may include the Escarpment Natural or Escarpment Protection Area designation under the following circumstances:
  - (i) correcting conveyances;
  - (ii) where the land in the Escarpment Natural Area or Escarpment Protection Area is to be acquired by a public body; and,
  - (iii) enlarging existing lots provided no further fragmentation of the Escarpment Natural Area or Escarpment Protection Area would result and provided there is sufficient area in the Urban Area to accommodate the proposed development.
- f) Adequate public access to the Escarpment will be provided by such means as parking areas, walkways or pedestrian trails (e.g., Bruce Trail).
- g) Development proposals will be compatible with and provide for the protection or restoration of historic features or areas, archaeological sites and structures of architectural significance.



- h) Growth will be compatible with and provide for the protection of unique ecologic areas, wildlife habitats, streams and water supplies and other environmentally sensitive areas both inside and adjacent to Urban Areas.

A.2.9.1.4 It is intended that Development within Special Policy Area "1c" - Urban Area -will be subject to Zoning and Site Plan Control. In the interim, a Development Permit will be required from the Niagara Escarpment Commission, as determined by Ontario Regulation 685/80, until such time as the City is delegated this responsibility.

A.2.9.1.5 Special Policy Area "1a" - Escarpment Natural - and Special Policy Area "1b" -Escarpment Protection - fall within the Development Control Area, regulated by the Niagara Escarpment Commission (N.E.C.) as defined by Ontario Regulation 685/80 as amended. Any change in use of any land, building or structure requires a Development Permit from the N.E.C., including the construction, alteration or demolition of a building or structure, unless specifically exempted by the regulations.

A.2.9.1.6 All proposals for development occurring in the Niagara Escarpment Plan Area (Special Policy Areas "1a", "1b" and "1c") will conform to the policies, permitted uses and Development Criteria outlined in the Niagara Escarpment Plan.

A.2.9.1.7 All proposals for development in the Niagara Escarpment Plan Area, will conform to the Official Plan of the City of Hamilton and the Official Plan of the Regional Municipality of Hamilton-Wentworth and requirements established by the Niagara Escarpment Plan. In the event of conflict between the policies of this Plan, the Regional Plan and the Niagara Escarpment Plan, the more restrictive policies will prevail.

A.2.9.1.8 Council will not support non-essential developments which will detract from the unique visual and scenic qualities of the brow face or base of the Niagara Escarpment or lands in its vicinity.



A.2.9.1.9 Council will co-operate with the Ministry of Natural Resources to ensure the development and administration of the Niagara Escarpment Parks System, including the Mount Albion Conservation Area, fulfils the following objectives:

- i) to protect the most significant features of the natural and cultural landscape of the Niagara Escarpment area;
- ii) to provide a wide variety of Escarpment-related outdoor recreation opportunities;
- iii) to provide opportunities for exploration and appreciation of the natural and cultural heritage of the Niagara Escarpment; and,
- iv) to support tourism by providing opportunities for discovery and enjoyment by Ontario's residents and visitors.

A.2.9.1.10 Council may investigate and support the provision of walkways along and across the Escarpment in order to permit pedestrian access between the Lower and Upper City.

A.2.9.1.11 Council will encourage the responsible authorities to undertake appropriate measures to preserve the integrity of the remaining natural areas of the Niagara Escarpment and lands in its vicinity.

A.2.9.1.12 Council recognizes the importance of the Bruce Trail as a way of exploring and appreciating the natural and cultural heritage of the Niagara Escarpment."

6) Amend Subsection A.2.9.3 - Other Policy Areas as follows:

(a) Add the following new Clause to A.2.9.3.1 for Special Policy Area 3:

- \*xiii) Any development on lands within the Niagara Escarpment Plan must be in accordance with the permitted uses and Development Criteria outlined in the Niagara Escarpment Plan, in addition to the above policies. In this regard, proponents for development or redevelopment within these designated lands are encouraged to consult the Niagara Escarpment Commission in regard to



suitability and compatibility with the objectives, permitted uses and development criteria of the Niagara Escarpment Plan."

- (b) Add the following new Clause paragraph to the end of Clause A.2.9.3.5 for Special Policy Area 7:

"Any development within this area must be in accordance with the permitted uses and Development Criteria outlined in the Niagara Escarpment Plan, in addition to the above policies. In this regard, proponents for development or redevelopment within these designated lands are encouraged to consult the Niagara Escarpment Commission in regard to suitability and compatibility with the objectives, permitted uses and development criteria of the Niagara Escarpment Plan."

- (c) Add the following additional paragraph to the end of Clause A.2.9.3.9 for Special Policy Area 11:

"Any development on lands within the Niagara Escarpment Plan must be in accordance with the permitted uses and Development Criteria outlined in the Niagara Escarpment Plan, in addition to the above policies. In this regard, proponents for development or redevelopment within these designated lands are encouraged to consult the Niagara Escarpment Commission in regard to suitability and compatibility with the objectives, permitted uses and development criteria of the Niagara Escarpment Plan."

- 7) Amend Subsection A.3.1 - Hazard Lands by adding the following new clause:

"A.3.1.4 Certain lands within the City of Hamilton which form SPECIAL POLICY AREA 1 ("1a", "1b" and "1c") on Schedule "B" - Special Policy Areas - are recognized as having inherent environmental hazards such as flood and erosion susceptibility. These areas are schematically shown as HAZARD LANDS on Schedule "C" to this Plan. In this regard, any development must be in accordance with the permitted uses and the Development Criteria outlined in the Niagara Escarpment Plan, in addition to the above policies. Proponents for development or redevelopment within these designated lands are encouraged



to consult the Niagara Escarpment Commission in regard to suitability and compatibility with the objectives, permitted uses and development criteria of the Niagara Escarpment Plan."

- 8) Amend Subsection A.3.2 - Environmentally Sensitive Areas by adding the following new clause:

"A.3.2.10 Certain lands within the City of Hamilton which form SPECIAL POLICY AREA 1 ("1a", "1b" and "1c") on Schedule "B" - Special Policy Areas - are recognized as being ecologically significant. These areas are schematically shown as ENVIRONMENTALLY SENSITIVE on Schedule "D" to this Plan. In this regard, any development must be in accordance with the permitted uses and the Development Criteria outlined in the Niagara Escarpment Plan, in addition to the above policies. Proponents for development or redevelopment within these designated lands are encouraged to consult the Niagara Escarpment Commission in regard to suitability and compatibility with the objectives, permitted uses and development criteria of the Niagara Escarpment Plan."

- 9) Amend Subsection A.3.3 - Non-Complying Uses by adding the following new clause:

"A.3.3.5 Notwithstanding the foregoing, those uses within the area of the Niagara Escarpment Plan, as shown as SPECIAL POLICY AREA 1 ("1a", "1b" and "1c") on Schedule "B" - Special Policy Areas, which do not conform to the permitted uses contained in the Niagara Escarpment Plan shall be recognized as "existing uses". In addition to Policy A.3.3.1, an existing use may expand, change its use or be replaced, when it can be demonstrated that the objectives of the applicable designation of the Niagara Escarpment Plan are met."

- 10) Amend Subsection A.3.4 - Division of Land by adding the following new clause:

"A.3.4.2 Any Division of Land within the Niagara Escarpment Plan, as shown as SPECIAL POLICY AREA 1 ("1a", "1b" and "1c") on Schedule "B" - Special Policy Areas, must conform to New Lots Policies of the



relevant Niagara Escarpment Plan designation contained in Policy A.2.9.1.3 of this Plan, as well as the Development Criteria contained in the Niagara Escarpment Plan."

11) Amend Subsection B.3.1 - Road Network by:

- (a) Adding the following additional paragraph to Clause B.3.1.18:

"Notwithstanding the foregoing, temporary licensed wayside pits or quarries for the construction and maintenance of public roads are not permitted on lands designated Escarpment Natural Area and Escarpment Protection Area in the Niagara Escarpment Plan, as identified by Special Policy Area "1a" and "1b" on Schedule "B" - Special Policy Areas."

- (b) Adding the following new clause to the subsection:

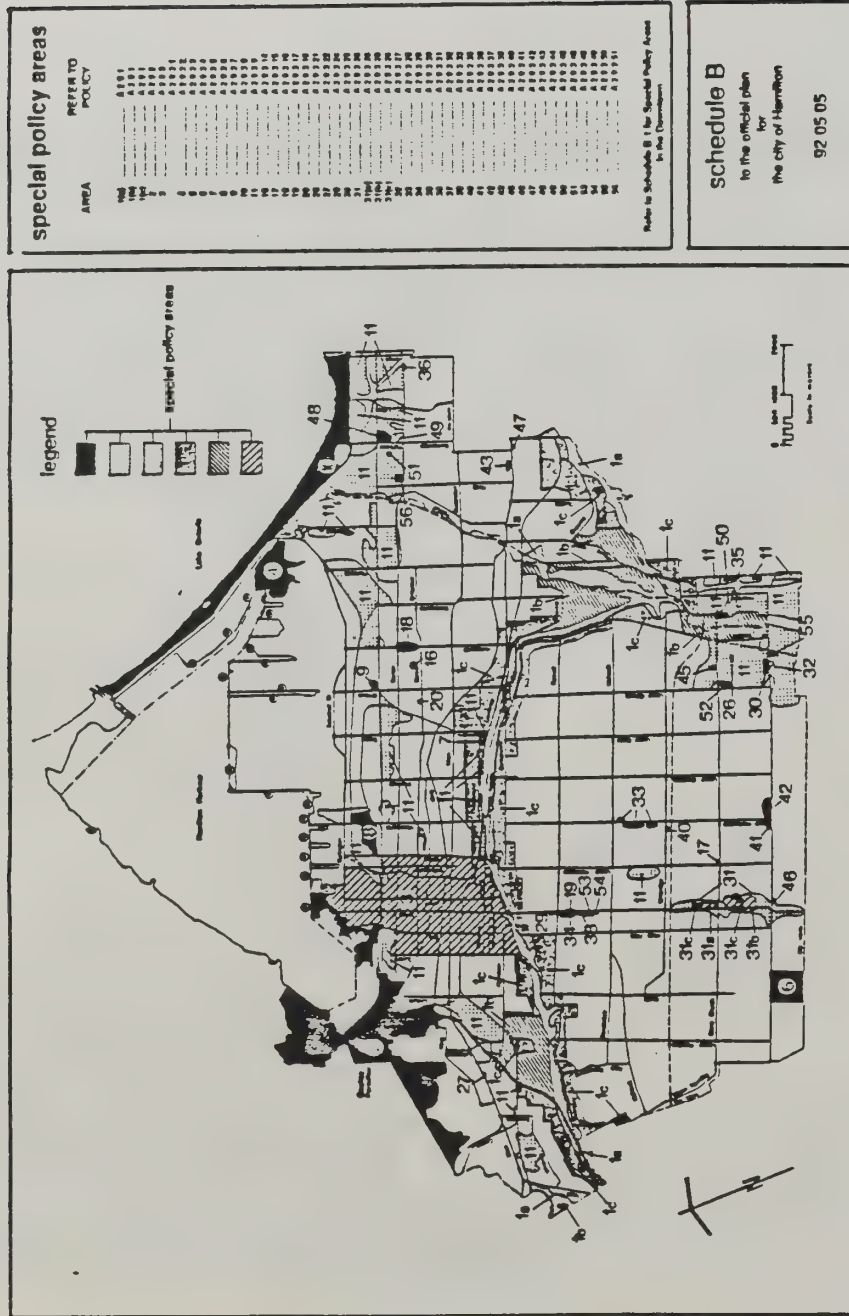
"B.3.1.21 Notwithstanding the foregoing policies of this Subsection, only essential transportation facilities will be permitted within the Escarpment Natural Area, as identified by Special Policy Area "1a" on Schedule "B" - Special Policy Areas. In addition, all transportation facilities proposed within the area of the Niagara Escarpment Plan must conform to the policies of that Plan."

12) Amend Subsection D.8 - Interpretation by adding the following new clause:

"D.8.6 The lands shown on Schedule "B" as SPECIAL POLICY AREA 1 ("1a", "1b" and "1c") are located within the Niagara Escarpment Plan. Any development within this area must be in accordance with the permitted uses and Development Criteria outlined in the Niagara Escarpment Plan. In this regard, proponents for development or redevelopment within these designated lands are encouraged to consult the Niagara Escarpment Commission in regard to suitability and compatibility with the objectives, permitted uses and development criteria of the Niagara Escarpment Plan."

13) Amend Schedule "B" - Special Policy Areas by delineating the Escarpment Natural Area, Escarpment Protection Area and Escarpment Urban Area in accordance with the attached modified Schedule "B".

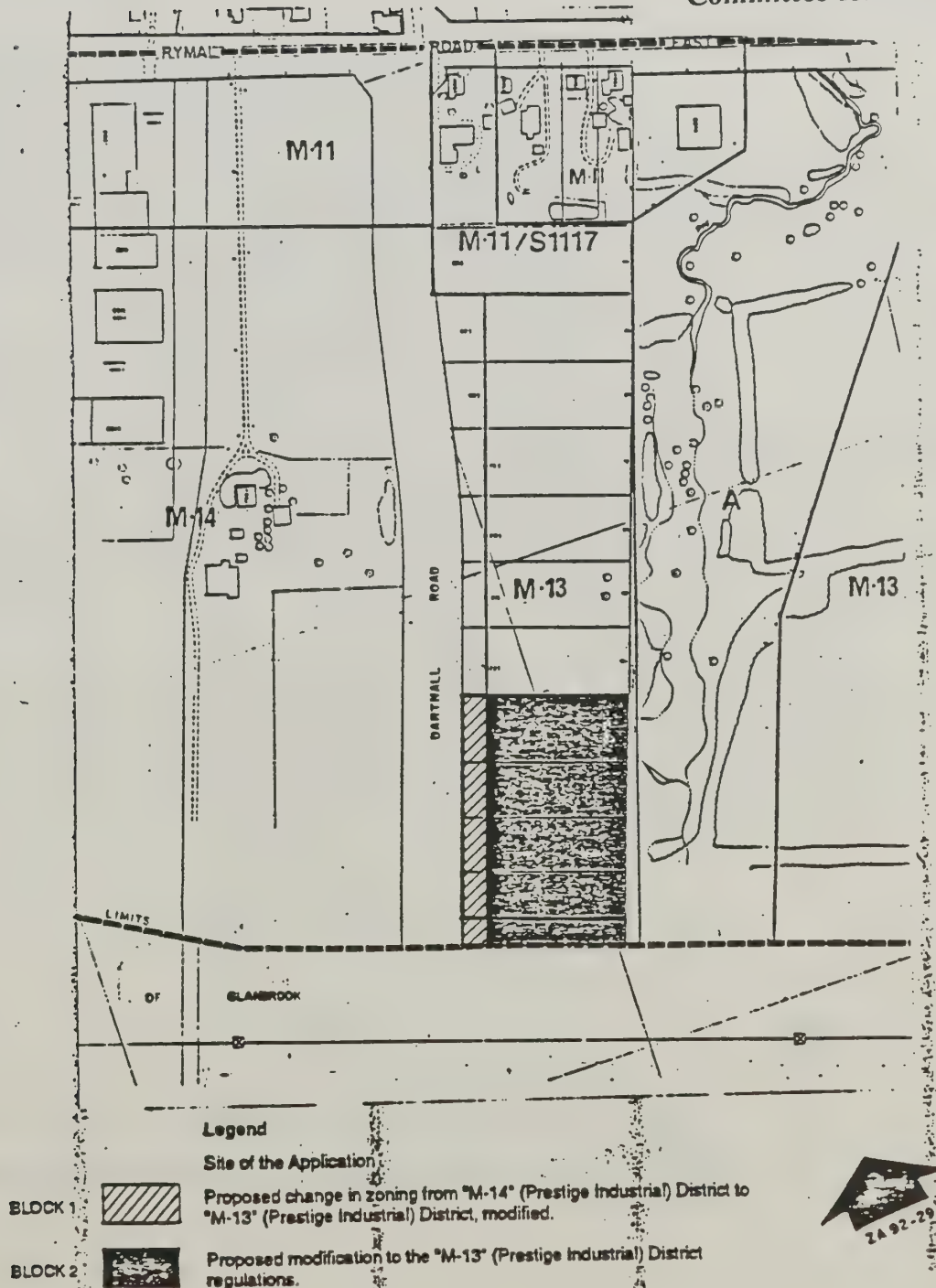






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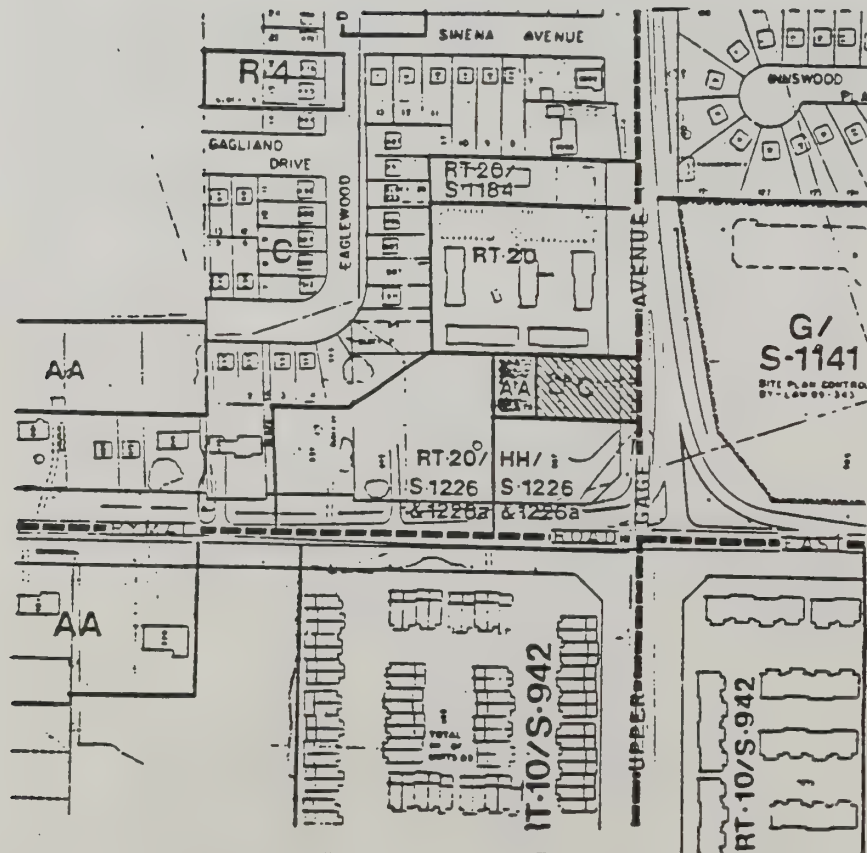
Appendix "E" as referred  
to in Section 28 of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992







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Appendix "F" as referred  
to in Section 29B of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992



Legend

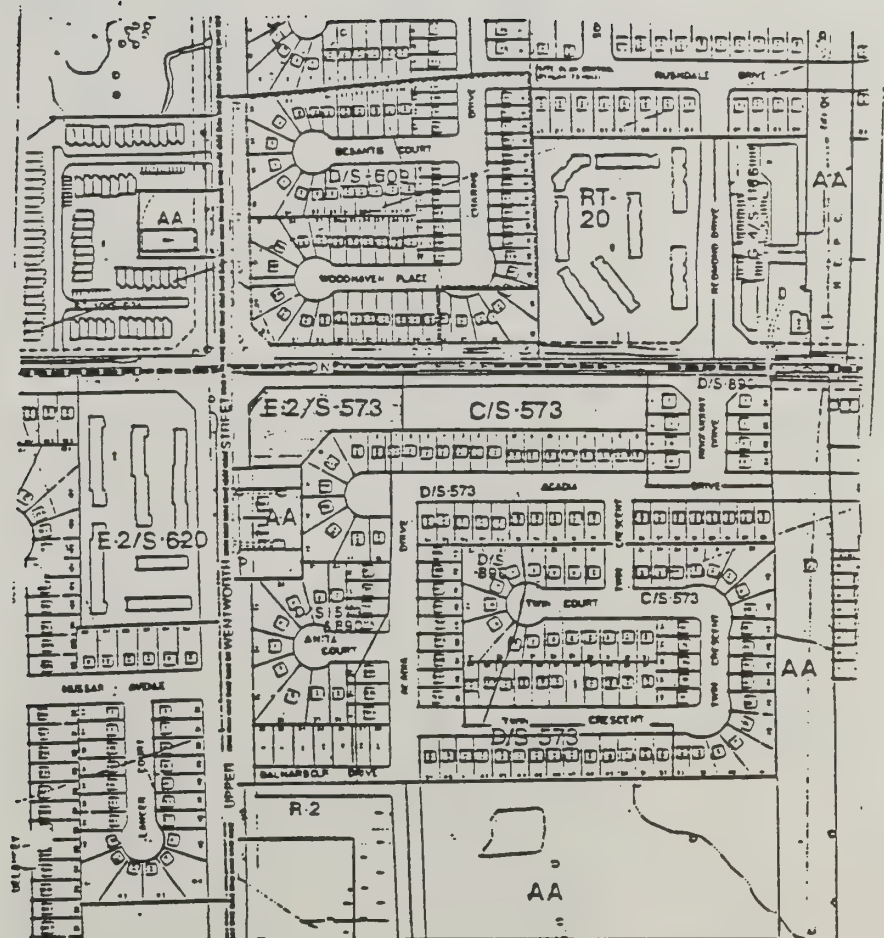


- Proposed change in zoning from:
- |         |   |   |
|---------|---|---|
| BLOCK 1 |  | "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, modified.                     |
| BLOCK 2 |  | "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, modified. |



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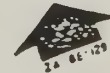
Appendix "G" as referred  
to in Section 30B of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992



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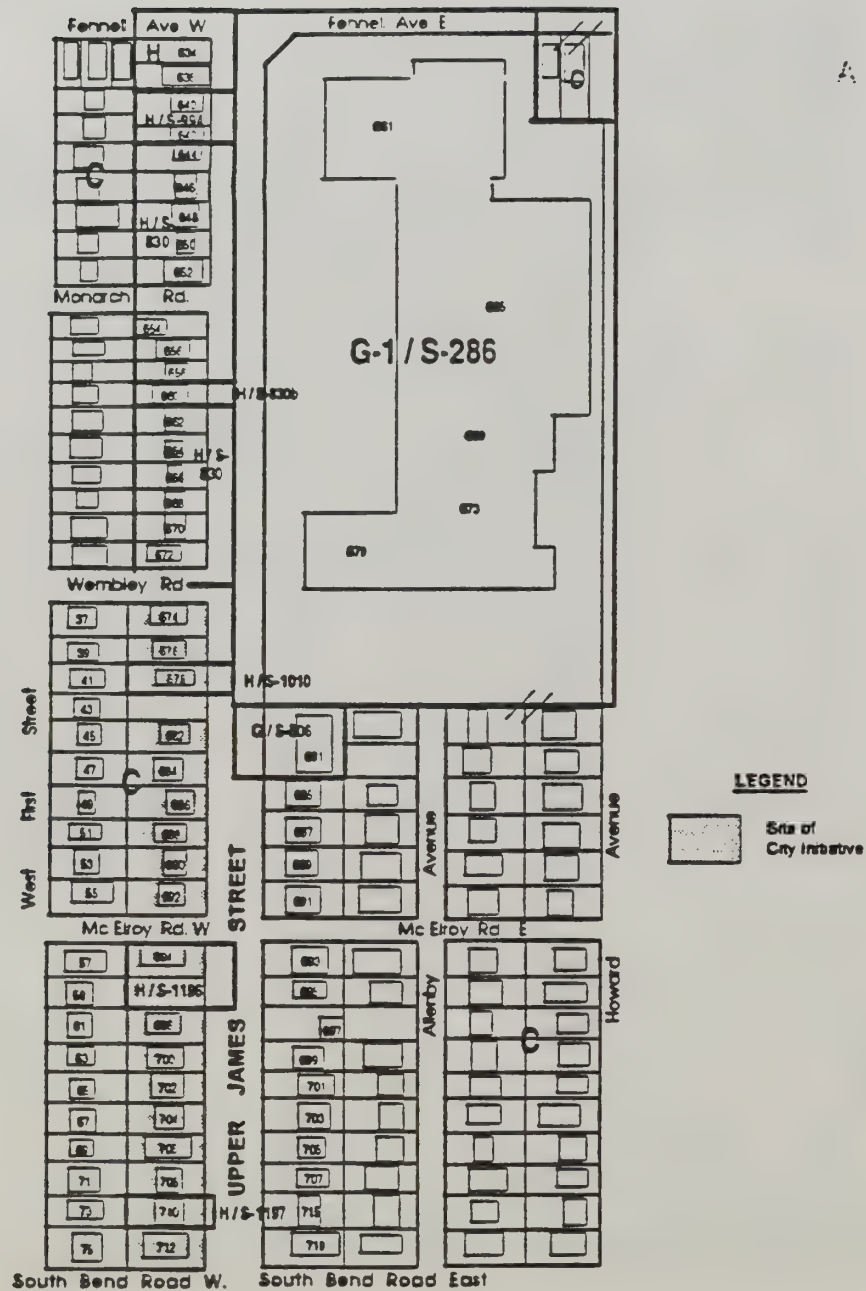
Site of the Application





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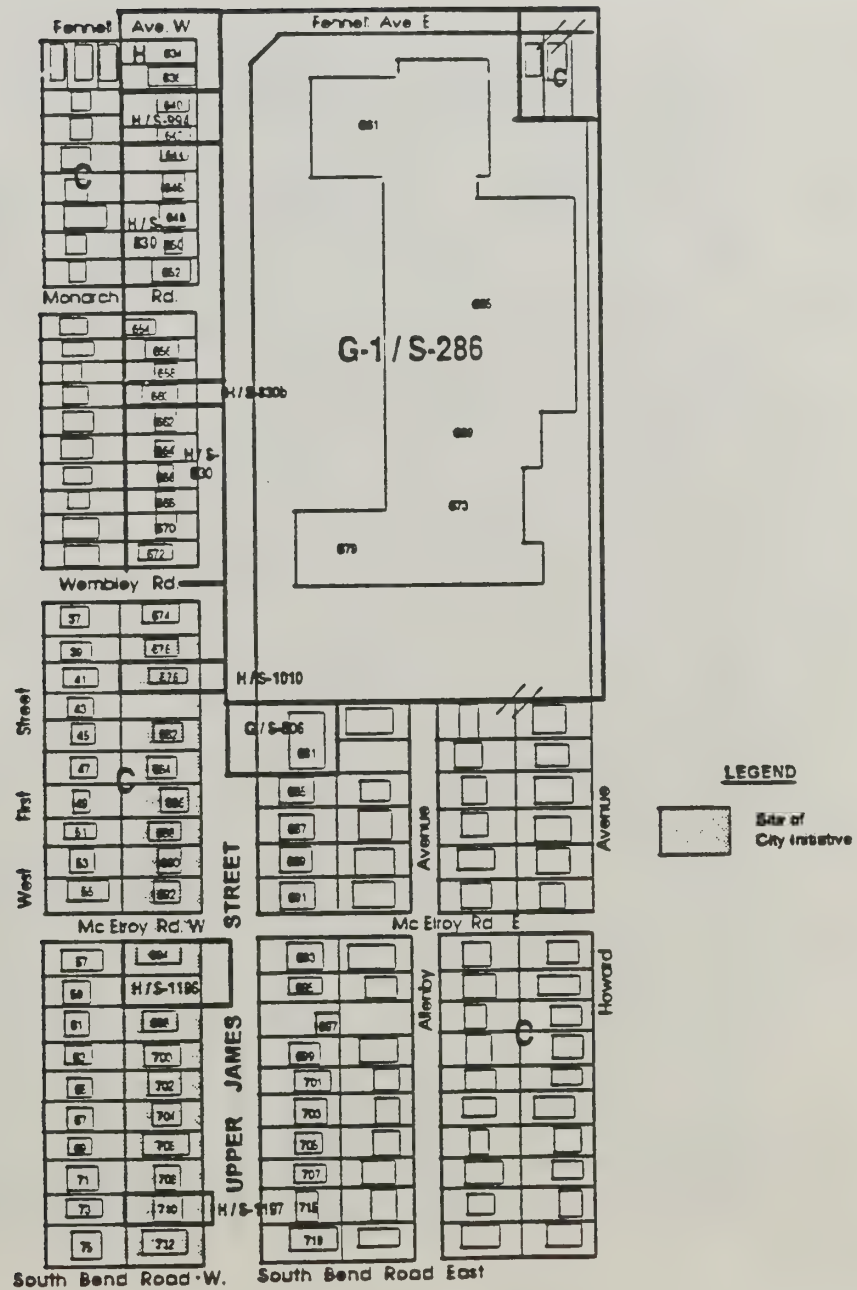
Appendix "I" as referred  
to in Section 32B of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992





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Appendix "J" as referred  
to in Section 32C of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992





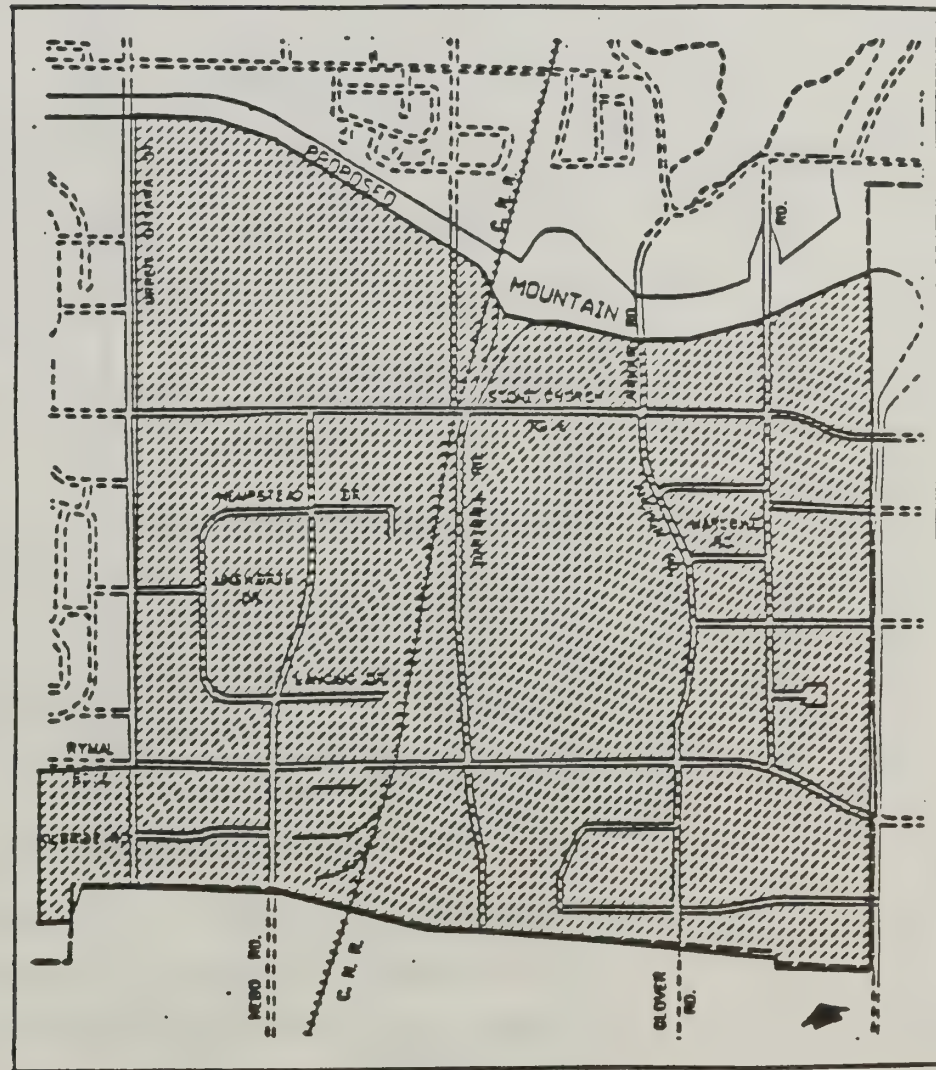
**Appendix "K" as referred to in Section 33A of the Fifteenth Report of the Planning and Development Committee for 1992**





1992 August 25

Appendix "L" as referred  
to in Section 34B of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992



**DISTRICT STUDY**  
(Prestige Industrial)

DATE : NOVEMBER 1991

--- City Boundary  
Reference File No. C1-91-A

 **DISTRICT**

City of Hamilton  
Planning &  
Development  
Department



**Appendix "M" as referred  
to in Section 34B of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992**



**City of Hamilton  
Planning &  
Development  
Department**

408 Cumberland Avenue

DATE : NOVEMBER 1951



1992 August 25

Appendix "N" as referred  
to in Section 34B(a) of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992

PUBLIC USES

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Federal Government Service	X	X			
Provincial Government Services	X	X			
Regional and Local Government Services	X	X			
International and Extra Territorial Government Services	X	X			
Library Services			X		
Museums and Archives			X		
Sports and Recreation Clubs and Services			X		
Botanical and Zoological Gardens			X		
Other Amusement and Recreational Services except agricultural fairs, fortune tellers, go kart tracks, horseback riding operations riding schools, trainers - all types			X		
Business Associations	X	X	X		
Professional Membership Associations	X	X	X		
Labour Organizations	X	X	X		
Political Organizations	X	X	X		
Civic and Fraternal Organizations	X	X	X		
Animal Shelters			X		

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82/08/12



1992 August 25

Appendix "O" as referred  
to in Section 34B(a) of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992

COMMERCIAL USES

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Project Management Construction		X	X	X	X
Other Services Incidental to Construction		X	X	X	X
Truck Transport Industries		X	X	X	X
Public Passenger Transit Systems Industries				X	X
Other Storage and Warehousing Industries with ancillary retail not to exceed 49% of the gross floor area of building		X	X	X	X
Telecommunication Broadcasting Industries		X	X	X	X
Postal and Courier Service Industries	X	X			
Wholesaling:					
Food, beverage, drug and tobacco		X	X	X	X
Apparel and dry goods		X	X	X	X
Household Goods		X	X	X	X
Motor Vehicle Parts and Accessories except rebuilding, recapping, retreading or vulcanized tires		X	X	X	X
hardware and plumbing and air conditioning equipment and supplies		X	X	X	X
lumber and building materials		X	X	X	X
machinery, equipment and sales		X	X	X	X
paper and paper products		X	X	X	X



## COMMERCIAL USES

D

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
agricultural supplies		X	X		
toys, amusement and sporting goods		X	X		
photographic equipment and musical instruments and supplies		X	X		
jewellery and watches		X	X		
industrial and household chemicals		X	X		
general merchandise		X	X		
books, periodicals and newspaper		X	X		
second hand goods except automotive and machinery		X	X		
Retail Stores selling:					
food	X				
liquor, wine, beer	X				
prescription drugs, and medicine	X				
household furniture, appliances and furnishings except furniture finishing and repair	X	X			
furniture refinishing and repair	X	X	X		
general merchandise	X				
books and stationary	X				
hardware, paint, wallpaper, and glass	X	X			
sporting goods and bicycles	X				



## COMMERCIAL USES

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
musical instruments and records	X				
camera and photographic supplies	X				
toy, hobby, novelty and souvenirs	X				
other retail stores	X				
Gasoline Service Stations	X				
Recreation Vehicle Dealers	X	X			X
Automotive Parts and Accessories Store	X	X			
Motor Vehicle Repair Shops except paint and autobody repair shop	X				X
Paint and Autobody Repair Shop					X
Other Motor Vehicle Services except car washes selling gasoline	X				
Other Motor vehicle services including car washes selling gasoline	X				
Lawn and Garden Centres with a maximum of 25% of lot area to be used for outside storage and sales area	X	X			
Vending Machine Operators	X	X			
Direct sellers	X	X			
Finance and Insurance Industries	X	X			
Real Estate Operators and Insurance Agent Industries)	X	X			



USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Employment Agencies and Personnel Suppliers	X	X			
Computer and related services	X	X	X		
Accounting and bookkeeping services	X	X	X		
Advertising services	X	X	X		
Architectural, Engineering, and Other Scientific and Technical Services	X	X	X		
Offices for:					
lawyers, notaries	X	X			
medical, dental	X	X			
health practitioners	X	X			
social services practitioners	X	X			
Management Consulting Services	X	X			
Other Business Services	X	X			
Post Secondary Non-University	X	X	X		
Medical and Health Laboratories	X	X	X		
Health and Social Service Associations and Agencies	X	X			
Food services except caterers	X				
Outdoor Patio in conjunction with food services (restaurant) only	X				
Caterers including banquet facilities	X	X			



## COMMERCIAL USES

C

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Motion Picture, Audio and Video Production and Distribution		X	X		
Regular Motion Picture Theatre			X		
Class H Adult Entertainment Parlour	X				
Bowling Alleys and Billiard Parlours			X		
Amusement park and Carnival Circus			X		
Dance Halls, studios and Schools			X		
Roller Skating Facilities			X		
Barber and Beauty Shops	X				
Laundries and cleaners except distributors and/or agents for dry cleaners, Self serve laundries and/or dry cleaners, and valet services, pressing and/or repairing				X	X
Distributors and/or agents for Dry Cleaners	X				
Self serve laundries and/or dry cleaners	X				
Valet Services, pressing and/or repairing	X				
Other Personal Household Services	X	X			
Machinery and Equipment Rental and Leasing Services		X	X	X	X
Automobile Truck Rental and Leasing Services					X



1992 August 25

COMMERCIAL USES

0

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Photographers	X	X			
Repair Services		X	X	X	X
Services to Buildings and Dwellings		X	X	X	X
Travel Services	X	X			
Vetrinary Services			X		
Kennels			X		

COMMERCIAL USES  
12/05/19



1992 August 25

Appendix "P" as referred  
to in Section 34B(a) of the  
Fifteenth Report of the  
Planning and Development  
Committee for 1992

INDUSTRIAL USES

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Fruit and Vegetable Industry				X	X
Dairy Products Industry				X	X
Bakery Products Industry				X	X
Sugar and Sugar Confectionary Industries except Cane and Sugar Beet Industry				X	X
Other Food Products Industries				X	X
Soft Drink Industry			X	X	X
Brewery, Distillery, Wine Industries				X	X
Rubber Products except Tire and Tube Industries				X	X
Leather and Allied Products Industries except leather tanneries		X	X	X	X
Primary Textile Industries				X	X
Textile Products Industries except carpets, mats, rugs industry		X	X	X	X
Clothing Industries		X	X	X	X
Sash, Door and Other Millwork Industries				X	X
Wooden Box and Pallet Industries				X	X
Coffin and Casket Industries				X	X
Other Wood Industries except Wood Preservation Industry				X	X
Furniture and Fixture Industries				X	X



## INDUSTRIAL USES

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Paper Box and Paper Bag Industries			X	X	X
Printing, Publishing, and allied Industries		X	X	X	X
Fabricated Metal Products Industries - (Except Machinery and Transportation Equipment Industries) - except Power Boiler and Heat Exchanger Industry				X	X
Motor Vehicle Part and accessories Industries except firewall and leaf spring manufacturing				X	X
Boat Building and Repair Industry				X	X
Small Electrical Appliance Industry			X	X	X
Major Appliance Industry			X	X	X
Electric Lighting Industries			X	X	X
Record Player, Radio, Television Receiver Industry			X	X	X
Communication and other Electronic Equipment Industries			X	X	X
Office, Store and Business Machine Industries			X	X	X
Electrical industrial equipment Industries			X	X	X
Communications and Energy Wire and Cable Industries			X	X	X
Electrical Products Industries except Battery Industry			X	X	X
Clay Products Industries				X	X



## INDUSTRIAL USES

## APPENDIX "E"

USE NOT PROHIBITED	DISTRICT				
	M-11	M-12	M-13	M-14	M-15
Concrete Products Industries				X	X
Glass Products Industries except Glass Containers					X
Other Non-metallic Products Industries except asbestos and gypsum products				X	X
Pharmaceutical and Medicinal Products			X	X	X
Toilet Preparations Industry			X	X	X
Scientific and Professional Equipment Industries			X	X	X
Jewellery and Precious Metals Industries			X	X	X
Sporting Goods and Toy Industries			X	X	X
Sign and Display Industry			X	X	X
Manufactured Products Industries			X	X	X
Building, Developing, and General Contracting Industries			X	X	X
Industrial and Heavy (Engineering) Construction Industries			X	X	X
Trade Contracting Industries			X	X	X

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02/08/11



## REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SIXTH** Report for 1992 and respectfully recommends:

1. That the **FIFTH** Report of the City of Hamilton Licensing Committee, adopted by City Council on 1992 July 28, be amended by deleting section 1 which reads as follows:

"1. That the Second Level Lodging Home Licences for 98 Sherman Avenue South and 44 Proctor Boulevard held by Murphycare (Patrick Murphy) be revoked effective upon satisfactory relocation of the residents."

and substituting in lieu thereof the following:

"1. That the Second Level Lodging Home Licences for 98 Sherman Avenue South and 44 Proctor Boulevard held by Murphycare (Patrick Murphy) be revoked effective 1992 September 1."

City Council in adopting Section 2 of the **FIFTH** Report of the City of Hamilton Licensing Committee approved "That the Regional Health and Social Services Committee be asked to arrange for the satisfactory relocation of the Second Level Lodging Home residents of 44 Proctor Boulevard and 98 Sherman Avenue South."

The Licensing Committee subsequently received a request from the Region of Hamilton-Wentworth Social Services Committee to implement an exact date of revocation in order to nullify the existing Second Level Lodging Home Contract with Murphycare - 44 Proctor Boulevard.

The Licensing Committee considered this request at its meeting of 1992 August 12 of which meeting Mr. Murphy was sent notice. However Mr. Murphy advised the Committee by faxed letter prior to the meeting that he had not received the notice until the morning of August 12 and would not be at the meeting due to insufficient notice being given.



The Committee was advised of an affidavit signed by the Licensing Inspector who had personally delivered notice letters to Mr. Murphy's home and office addresses on the morning of August 10.

The Committee proceeded with the hearing and considered a suitable date for revocation of the licence. In order to allow time for the satisfactory relocation of the residents, and taking into account the fact that City and Regional Councils would only meet once per month in September, the Licensing Committee made the foregoing recommendation to amend the original Council resolution.

2. That the Cab Driver Licence application of Elwood Gallant, 294 Tragina Avenue North, Hamilton, L8H 5E1 be denied on the grounds of the applicant's extensive criminal and bad driving record.

Further details may be obtained from the Secretary.

3. That the Bingo Licence applications of Emergency Shelter of Hamilton-Wentworth, East Mountain Baseball Association, Hamilton Theatre Inc., Boys and Girls Clubs of Ontario, Te Deum Concert Society Inc., Pilipino Canadian Club and Hamilton Olympic Club for Sunday at 3:30 p.m. at the Princess Bingo Hall be denied.
4. That the Bingo Licence application of Shair International for Saturday at 10:00 a.m. at the Bingo Country Hall be denied.

On 1992 August 12 representatives of a number of charities appeared before the Licensing Committee to Show Cause why they should be issued a bingo licence for events which were not meeting the requirement of the Lottery Licence By-law 92-006 that "not less than 20% of the total receipts shall be paid to the charitable or religious organization to whom the licence was issued."

After much deliberation, and taking into account the dialogue over the past year with the charities in this regard, the Committee approved the issuance of a number of licences for a probationary period for those charities which had only been operating for a short time, or were close to the requirement, in order to give them an opportunity to attain this goal.



1992 August 25

However, in the case of the above-mentioned charities, the Committee determined that they had been operating for more than six months and had not even reached the 10% threshold, and the Committee did not feel it was a reasonable expectation that they would be able to attain the 20% requirement. It was also noted that the majority of the charities also operated bingo at other more profitable time slots.

The Licensing Committee therefore made the foregoing recommendation.

**RESPECTFULLY SUBMITTED**

**ALDERMAN T. COOKE  
CHAIRPERSON  
CITY OF HAMILTON LICENSING  
COMMITTEE**

Stella Glover  
Secretary

1992 August 12



## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1992 and respectfully recommends:

1. (a) That approval be given to enter into a contract with S. M. Roscoe Inc. Architects, as the Prime Consultant, for full Architectural & Engineering Services for the New Fire Station 4 on Upper Sherman Avenue, within the north-west corner of Macassa Park. The contract amount will be \$214,792.
- (b) That the cost of retaining the Prime Consultant be charged to Account No. CF 5450 489241009.
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant S. M. Roscoe Inc. Architects.
- (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, Drury, Morelli, Wilson, Agostino, Eisenberger, Merling, Anderson, Ross, D'Amico-12.

NAYS: Mayor Morrow, Alderman Copps, Jackson, Charters-4. **CARRIED.**

2. That the following resolution from the Township of Tiny respecting restructuring in Simcoe County be received:

WHEREAS all efforts at ensuring the integrity of the Township of Tiny's municipal boundaries and financial welfare have been frustrated by the County of Simcoe under the guidance of the Ministry of Municipal Affairs;



NOW THEREFORE BE IT RESOLVED that the municipal Corporation of the Township of Tiny hereby confirm that it is opposed to the implementation of legislation enacting the final report of the Simcoe County Study Committee;

AND FURTHER that a copy of this resolution be sent to all municipalities in the Province of Ontario asking for their support and that these municipalities advise the Premier of Ontario, the Minister of Municipal Affairs and their respective members of the Ontario Legislature and the Council of the Corporation of Tiny. And that a brief summary of events accompany this resolution.

3. That the following resolution from the City of Stoney Creek respecting multiculturalism be received:

WHEREAS Canada is a country whose citizenry comes literally from the four corners of the earth, and

WHEREAS Canada's generous policies of inclusion have aided its citizens to assimilate in the Canadian society by accepting its laws and practices, and

WHEREAS Canada's policy of Multiculturalism has assisted greatly in this process of inclusion and assimilation;

NOW THEREFORE BE IT RESOLVED:

That Stoney Creek Council fully endorse Canada's policy on Multiculturalism and that we ask the Provincial Government through its Ministry of Culture and Citizenship to also go on record in support of this resolution and that we ask the endorsement of all municipalities in Ontario over 25,000 people in population, and that this recommendation be circulated to the Unity Committee, Honourable Shirley Martin, Prime Minister Brian Mulroney, and the leaders of the Liberal and N.D.P. Federal Parties.



4. That outstanding business taxes in the amount of \$207,996.68, be written off in accordance with Section 441 of the Municipal Act, R.S.O., 1990, and charged to Account CH 53401-24106, Tax Write-Offs. (A copy of the Tax Write-Off Schedule was distributed to members of the Finance & Administration Committee and is available from the Committee Secretary upon request.)
5.
  - (a) That the City Treasurer be authorized to extend the City of Hamilton's current banking arrangements with the Canadian Imperial Bank of Commerce for a further seven month period from the current expiry date of 1992 November 30, to a new expiry date of 1993 June 30.
  - (b) That the City Treasurer be authorized and directed to prepare the necessary specifications and a "Proposal Call for Banking Services" for the City of Hamilton for a five year period (with an option for the City to renegotiate after three years) commencing 1993 July 1.
  - (c) That following the receipt and evaluation of the proposals, the Treasurer submit a recommendation for banking services to the Finance and Administration Committee for approval.
6. That approval be given to the action taken by the City Clerk in authorizing the Hamilton Heritage Week Committee to use Committee Room 233 on Thursday, 1992 August 6 at 7:00 p.m. to prepare a proposal for a future official event.
7.
  - (a) That permission be granted to the Advertising and Sales Club of Hamilton to use the East and West areas of the second floor lobby at City Hall from 3:00 p.m. on Monday, 1992 October 19 until Friday, 1992 October 30 to display photographs of the 1992 Ace Award Winners.
  - (b) That the City Clerk be granted authority to approve of a similar use in future years provided that it does not interfere with any other activity.
8.
  - (a) That no action be taken with respect to the request of the McMaster University Art Gallery to place a billboard on the forecourt of City Hall from 1992 September 1 - 15 and 1993 May 16 - 29 to promote the 25th Anniversary of the McMaster University Art Gallery; and
  - (b) That billboards not be permitted on the forecourt of City Hall until the recommendations of the Urban Design Study of City Hall grounds have been completed by A. J. Diamond, Donald Schmitt and Company.



9. That approval be given to the request of the Women's Trust to use the Council Chambers for the purpose of an address on the occasion of Person's Day on Monday, 1992 October 19, to be preceded by a buffet lunch and reception on the Second Floor Lobby for approximately two (200) hundred women.
10. That the Liquor Licence Board of Ontario be advised that the City of Hamilton recognizes that the Festival of the Hellenic Community of Hamilton and District being held on Friday, 1992 September 11th to Sunday, 1992 September 13th on the east grounds of St. Demetrios Greek Orthodox Church at 22 Head Street is a Community Festival of municipal significance and as such is worthy of the issuance of a Special Occasion Permit for the above-noted Festival.
11. That no further approvals be granted for civic awards until such time as the Task Force to Review the Civic Awards Programme has presented its report to the Finance and Administration Committee.
12. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 August 12, attached herewith and marked Appendix "A", be approved.
13. That a purchase order be issued to Cimco Refrigeration, Toronto, Ontario in the amount of \$106,736.40 per year including all taxes for mechanical maintenance of refrigerating ice making equipment in nine (9) city owned arenas during 1992, 1993, 1994, being the only tender received in accordance with specifications issued by the Manager of Purchasing and vendor's tender, and that this expenditure be financed through Refrigeration Control Recreation Building Account CH 56380-31136.
14. That a purchase order be issued to Graphic Papers, for the supply and delivery of Fine Paper as and when required for a twelve (12) month term, being the lowest of five tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that these expenditures be financed through various approved accounts.
15. (a) That as referred to in Section 27 of the Ninth Report of the Transport and Environment Committee for 1992, the purchase of 643 Rymal Road West for the proposed extension of Upper Paradise Road, at a price of \$330,000, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands", and



- (b) That \$200,000. be transferred to the "Reserve for Services Through Unsubdivided" from the "Reserve for Capital Projects" in order to complete the financing of this purchase and allow for possible further subdivision expenditures through the balance of 1992.
16. That as referred to in Section 25 of the Ninth Report of the Transport and Environment Committee for 1992, the City's share of "Agrigento Gardens" Subdivision, at a cost of \$6,632.46, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
17. That the following resolution from the City of Burlington respecting LaSalle Park be received:
- THAT the letter dated 1992 June 30, from the City of Hamilton concerning the possible sale of LaSalle Park to the City of Burlington be received and filed;
- AND THAT a Committee composed of Alderman Greenaway, Alderman MacIsaac, Alderman Whitworth, Mayor Mulkewich, City Manager Michael Fenn and Director of Parks and Recreation Jim Olmstead meet and consult with the City's Legal Department with respect to the terms of the current lease for LaSalle Park;
- AND THAT the Committee consider the City's role in the Hamilton Harbour Remedial Action Plan and the Fish and Wildlife Habitat Plan;
- AND THAT the Committee consider the financial implications of future LaSalle Park needs;
- AND THAT the Committee report back to the Community and Corporate Services Committee with recommendations on possible future negotiations with the City of Hamilton.
18. (a) That the City pay to Samuel and Sheridan Lax \$33,907.06 in additional legal costs awarded by Mr. Justice Ground and not in dispute on the subsequent Appeal.



- (b) That the City offer to settle all outstanding issues on the Appeal of the costs in the Lax expropriation on the following terms:
  - (i) The City will pay to Samuel and Sheridan Lax the remaining costs awarded by Mr. Justice Ground (\$52,500. plus post judgment interest) and the sum of \$33,317.51 with respect to the Kellough appraisal report.
  - (ii) The City bear its own costs with respect to the Appeal heard by Mr. Justice Ground. The Appeal of that decision by the Lax Brothers, and any City Cross-Appeal will be dismissed or discontinued.
- 19. That leave be granted to introduce the following Bills:
  - (a) Bill H-51 A By-law to authorize Restoration of Steam Museum Pumphouse.
  - (b) Bill H-52 A By-law to authorize Harbourfront Park Remedial Action - Stage 2.
  - (c) Bill H-53 A By-law to authorize Major Maintenance to Civic Buildings.
  - (d) Bill H-54 A By-law to authorize Construction of T. B. McQueston Park.
  - (e) Bill H-55 A By-law to authorize Baseball Facilities Development.
  - (f) Bill H-56 A By-law to authorize Renovation to the Central Library.
  - (g) Bill H-57 A By-law to authorize the Expansion of the Concession Street Library.
  - (h) Bill H-58 A By-law to amend By-law No. 79-323 respecting Flea Markets.
  - (i) Bill H-59 A By-law to amend Schedule 22 to Licensing By-law No. 79-323 respecting Transient Vendors.
  - (j) Bill H-60 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.



20. (a) That Alderman V. Agro be authorized to attend the 1992 Conference on Governmental Ethics Laws being held 1992 September 22-25, at the Hilton International in Toronto, and
- (b) That the estimated cost of approximately \$1,200. be charged to Legislative Travel Account CH 55201 - 10010. **ADDED AND CARRIED.**
21. (a) That the City of Hamilton endorse the intent of Bill C-330, an Act to Amend the Criminal Code and Parole Act, and ask the Members of Parliament in the House of Commons of all political parties to support the Bill and ensure quick implementation of the legislation, and
- (b) That this be circulated to all area MP's, and a copy be sent to the Office of the Prime Minister. **ADDED AND CARRIED.**

**RESPECTFULLY SUBMITTED,**

**ALDERMAN D. ROSS, CHAIRPERSON  
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder  
Secretary  
1992 August 20



Appendix "A" referred  
to in Section 12 of the  
Seventeenth Report of the  
Finance and Administration  
Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Angie Baldassaro	Clerk II, Mail Processing City Clerk's (7-C)		Replacing Linda Everets - promoted	\$23,747.36 to \$25,707.24	29/06/92
Mr. Greg Bartolotto	Parking Control Officer (13-I)	Traffic	Additional Staff Council Approved April 14, 1992	\$31,612.88 to \$36,305.88	27/07/92
Ms. Donna Clague	Housing Loans Clerk (10-E)	Community Development	Replacing Melissa Gould - promoted	\$27,791.40 to \$30,442.88	10/08/92
Ms. Carolyn Edwards	Typist Clerk II (7-C)	Treasury	Replacing Rose Wallage - promoted	\$24,096.80 to \$26,107.64	13/07/92
Ms. Melissa Gould	Parking Control Officer (13-I)	Traffic	Additional Staff Council Approved April 14, 1992	\$31,612.88 to \$36,305.88	27/07/92
Mr. Don Holt	Probationary Fire Inspector (N1-A)	Fire	Replacing Callum Neil - transfer	\$34,361.30	22/06/92
Mr. Timothy Mason	Carpenter (T1-B)	Public Works	Replacing Roger Lott - retired	\$39,243.36 to \$39,659.36	13/07/92

Prepared 12/08/92



## THE CORPORATION FOR THE CITY OF HAMILTON

## APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Laura McDavid	Clerk Typist II (7-A)	Traffic	Returning to former position	\$24,096.80 to \$26,107.64	13/07/92
Ms. Valeria Mitchell	Cashier (9-C)	Treasury	Replacing Carol Alkeman - promoted	\$26,704.60 to \$28,830.36	29/06/92
Mr. Mark Orr	Sports Groundskeeper I (D-14D)	Public Works	Replacing Rob Gatto - promoted	\$33,373.60 to \$33,789.60	13/07/92
Mr. Gary Speakman	Lieutenant (A-6)	Fire	Replacing Mr. W. Pasel - promoted	\$53,105.63	21/06/92
Mr. Nick Valenti	Parking Control Officer (13-1)	Traffic	Replacing Judy Berestecki - promoted	\$31,612.88 to \$36,305.88	27/07/92
Ms. E. Joanne Wignore	Parking Control Officer (13-1)	Traffic	Additional Staff Council Approved April 14, 1992	\$32,612.88 to \$36,305.88	03/08/92

Prepared 12/08/92



THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Stephen Dockman	Operations Manager	H.E.C.F.I.	Termination	11 years, 4 months	06/08/92
Ms. Bozica Jurcevic	Stenographer I	Law Department	Resigned	3 years, 2 months	17/07/92

1992 August 25

Prepared 12/08/92



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<b>R. BLUE</b>	<b>25073</b>	<b>BLEU R.</b>
<b>GREY</b>	<b>25074</b>	<b>GRIS</b>
<b>GREEN</b>	<b>25075</b>	<b>VERT</b>
<b>TANGERINE</b>	<b>25077</b>	<b>TANGERINE</b>
<b>RED</b>	<b>25078</b>	<b>ROUGE</b>
<b>X. RED</b>	<b>25079</b>	<b>ROUGE X.</b>

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